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TITLE 3—THE PRESIDENT

PROCLAMATION 2714

CESSATION OF HOSTILITIES OF WORLD WAR II

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

With God's help this nation and our allies, through sacrifice and devotion, courage and perseverance, wrung final and unconditional surrender from our enemies. Thereafter, we, together with the other United Nations, set about building a world in which justice shall replace force. With spirit, through faith, with a determination that there shall be no more wars of aggression calculated to enslave the peoples of the world and destroy their civilization, and with the guidance of Almighty Providence great gains have been made in translating military victory into permanent peace. Although a state of war still exists, it is at this time possible to declare, and I find it to be in the public interest to declare, that hostilities have terminated.

NOW THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the cessation of hostilities of World War II, effective twelve o'clock noon, December 31, 1946.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of December in the year of our Lord nineteen hundred and [SEAL] forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

JAMES F. BYRNES,
The Secretary of State.

[F. R. Doc. 46-22110; Filed, Dec. 31, 1946; 1:19 p. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspection, Marketing Practices)

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

STANDARDS FOR CITRUS FRUITS

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1947 (Pub. Law 422, 79th Cong.) the United States Standards for citrus fruits (11 F. R. 13239) are hereby amended as follows:

1. In § 51.191 (b) delete subparagraph (8) and substitute therefor the following:

§ 51.191 *Citrus fruits.* * * *

(b) *Grades.* * * *

(8) *U. S. Combination Grade.* (i) Any lot of citrus fruits except oranges may be designated "U. S. Combination" when not less than 40 percent, by count, of the fruits in any container meet the requirements of U. S. No. 1 grade and the remainder U. S. No. 2 grade.

(ii) As applied to oranges, not less than 50 percent, by count, of the fruits in any container shall meet the requirements of U. S. No. 1 grade; each of the remainder of the oranges, in addition to meeting all other requirements of the U. S. No. 2 grade, shall have not more than one-half of the surface in the aggregate affected with discoloration.

It is hereby found and determined that compliance with notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (60 Stat. 237; Pub. Law 404, 79th Cong., 2d Sess.) in connection with the issuance of this amendment, is impracticable, unnecessary, and contrary to the public interests in that: (1) The amendment has been under consideration since November 1, 1946 and it has been prepared on the basis of suggestions of growers, packers, shippers and other handlers of citrus fruits; (2) the issuance of the amendment, effective January 2, 1947, is necessary to make the United States standards for citrus fruits conform to present

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NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238) which were carried under "Notices" prior to January 1, 1947 are now presented in a new section entitled "Proposed Rule Making" Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

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handling and packing practices; and (3) the issuance of the amendment which involves only minor changes in the present standards should be accomplished as soon as possible because the seasonal shipments of citrus fruits have begun. (Pub. Law 422, 79th Cong., Delegation of Authority to Administrator of Production and Marketing Administration, July 11, 1946, 11 F. R. 7713).

Issued at Washington, D. C. this 27th day of December 1946, to be effective on and after the 2d of January 1947.

[SEAL] **JESSE B. GILMER,**
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-22044; Filed, Dec. 31, 1946; 8:50 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 730—RICE

NATIONAL MARKETING QUOTA

Sec.	
730.1	Basis and purpose.
730.2	Findings and determination with respect to the national marketing quota for rice for the marketing year beginning August 1, 1947.

AUTHORITY: §§ 730.1 and 730.2 issued under 52 Stat. 38, 43, 62; 7 U. S. C. 1301 (b), 1301 (c), 1355 (a).

§ 730.1 *Basis and purpose.* This proclamation is issued under section 355 (a) of the Agricultural Adjustment Act of 1938, as amended. Its purpose is to announce the findings of the Secretary of Agriculture with respect to the relationship between the total supply of rice and the normal supply thereof for the current marketing year in order to determine whether marketing quotas for

rice for the 1947-48 marketing year shall be proclaimed under the act. Prior to making the findings, notice was given (11 F. R. 14501) that the Secretary was preparing to examine the supply situation to determine if quotas were required under the act and that any interested person might express his views in writing with respect thereto. All written expressions received postmarked by December 24, 1946, the closing date therefor mentioned in the notice aforesaid, have been considered.

§ 730.2 *Findings and determination with respect to the national marketing quota for rice for the marketing year beginning August 1, 1947—(a) Normal supply.* The normal supply of rice for the marketing year beginning August 1, 1946, is 72,590,000 bushels of rough rice.

(b) *Total supply.* The total supply of rice for the marketing year beginning August 1, 1946, is 73,130,000 bushels of rough rice.

(c) *National marketing quota.* The total supply of rice for the current marketing year does not exceed by more than 10 percent the normal supply of rice for such marketing year; therefore no national marketing quota for rice shall be in effect for the 1947-48 marketing year for the marketings of rice by producers.

Done at Washington, D. C., this 27th day of December 1946. Witness my hand and the seal of the Department of Agriculture.

[SEAL] **CLINTON P. ANDERSON,**
Secretary of Agriculture.

[F. R. Doc. 46-22042; Filed, Dec. 31, 1946; 8:50 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

CREDITS EXTENDED BEFORE DECEMBER 1, 1946

The following interpretation under this part (11 F. R. 13949) relating to consumer credit was issued by the Board of Governors of the Federal Reserve System on December 16, 1946:

§ 222.107 *Credits extended before December 1, 1946.* The Board of Governors recently received an inquiry relating to the footnote 1 of the December 1, 1946, revision of this part (11 F. R. 13949) which, in part, provides that "the revision (of December 1, 1946) shall not affect any transaction prior to such date" The inquiry concerned pre-December credits, still outstanding, that were subject to this part when they originated but would not be subject if they originated on or subsequent to December 1, 1946; and the question was whether, in the light of the footnote, renewals, revisions and other actions currently taken with respect to such pre-December credits must follow the pre-December rules.

In reply, the Board ruled that unless the credit, regardless of when negotiated,

falls within the terms of the December 1 revision, any action taken on or after December 1 with respect to the credit is not subject to this part.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 43 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U. S. C. 95 (a) and Supp., 50 U. S. C. App. 616, 617; E. O. 8243, August 9, 1941, 3 CFR Cum. Supp.)

[SEAL] **BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.**

[F. R. Doc. 46-22018; Filed, Dec. 31, 1946; 8:52 a. m.]

PART 222—CONSUMER CREDIT

CONVERSION OF NON-INSTALLMENT CREDIT TO INSTALLMENT BASIS

The following interpretation under this part (11 F. R. 13949) relating to consumer credit was issued by the Board of Governors of the Federal Reserve System on December 10, 1946:

§ 222.106 *Conversion of non-installment credit to installment basis.* The Board of Governors has been requested for a ruling as to the conversion of a charge account covering the sale of a "listed article" to an installment basis, under this part as revised December 1, 1946. The question also arises in connection with the conversion of a single-payment loan to an installment basis.

This was one of the general problems which were considered in connection with the revision of this part, but after preliminary drafts had been made of provisions governing the conversion of non-installment credit to an installment basis, it was decided to omit them from this revised part and to rely upon the provisions of § 222.6 (i) to furnish protection against evasion. In any case where investigation showed that a registrant was converting an undue number of credits to an installment basis after originating them on a non-installment basis, the inference would be fairly plain that the registrant was violating § 222.6 (i) by attempting to disguise installment credit as non-installment credit.

Accordingly, it is the view of the Board that if a credit originates in good faith as an obligation payable in a lump sum, its later conversion to an installment basis does not make it subject to the present part. It is essential, of course, that the original transaction be in good faith and not a subterfuge.

(Sec. 5 (b) 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 43 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U. S. C. 95 (a) and Supp., 50 U. S. C. App. 616, 617, and E. O. 8243, Aug. 9, 1941, 3 CFR Cum. Supp.)

[SEAL] **BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.**

[F. R. Doc. 46-22017; Filed, Dec. 31, 1946; 8:52 a. m.]

TITLE 19—CUSTOMS DUTIES**Chapter II—United States Tariff Commission****PART 201—RULES OF GENERAL APPLICATION****AMENDMENT OF RULES RELATING TO WITNESSES AND SUBPENAS**

In conformity with the Administrative Procedure Act (Public Law 404, 79th Congress), § 201.15 (11 F. R. 177A-744) of Title 19 of the Code of Federal Regulations is hereby amended by adding thereto the following paragraph (d)

§ 201.15 Witnesses and subpoenas.

* * *

(d) Subpoenas for the attendance of witnesses or for the production of documentary evidence will be issued at the request of any person who has entered an appearance in an investigation in accordance with § 201.12, upon application in writing and determination by the Commission of the general relevance and reasonable scope of the evidence sought. Such application shall be addressed to the Commission, and shall include a statement as to the nature, relevance, and scope of the testimony sought, and, in the case of documentary evidence, an adequate specification of the documents desired.

(Sec. 333, 46 Stat. 699; Pub. Law 404, 79th Cong., 60 Stat. 237; 19 U. S. C. 1333)

CROSS REFERENCE: For rule regarding expenses see § 201.16.

CROSS REFERENCE: For rule regarding service of process, see § 201.19.

[SEAL]

OSCAR B. RYDER,
Chairman,

United States Tariff Commission.

[F. R. Doc. 46-22014; Filed, Dec. 31, 1946;
8:50 a. m.]

TITLE 21—FOOD AND DRUGS**Chapter I—Food and Drug Administration, Federal Security Agency****PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS****PENICILLIN VAGINAL SUPPOSITORIES**

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V 357) the regulations for tests and methods of assay of antibiotic drugs (11 F. R. 12128) are hereby amended by adding the following new section:

§ 141.18 *Penicillin vaginal suppositories*—(a) *Potency*. Proceed as directed in § 141.1 except paragraph (g) (3) of that section and in lieu of the directions in paragraph (d) prepare sample as follows:

Place 5 suppositories in a separatory funnel containing 150 ml of peroxide free ether. Shake the separatory funnel vigorously to bring about complete mixing of the material with the ether. Shake with a 25 ml portion of 1% phosphate buffer at pH 6.0. Remove the buffer layer and repeat the extraction with

three 25 ml quantities of buffer. Combine all extracts and make the proper estimated dilutions in 1% phosphate buffer at pH 6.0. The average potency of the suppository is satisfactory if it contains not less than 85% of the number of units it is represented to contain.

(b) *Moisture*. Proceed as directed in § 141.7 (c) using one suppository.

(c) *Microorganism count*. Use four suppositories and place approximately one fourth of each into each of four sterile, tared test tubes. Determine weight of sample in each tube. Melt at 37°C and add sufficient penicillinase to inactivate the penicillin in the sample. Mix thoroughly. Incubate for one hour at 37°C. Mix thoroughly and transfer the contents of each tube to 25 ml of nutrient agar prepared as directed in § 141.1 (b) (1) cooled to approximately 48°C. Mix thoroughly and pour into sterile petri dishes. Allow to harden, invert and incubate at 37°C for 48 hours. Count the number of colonies appearing on the petri dish and calculate therefrom the number of viable microorganisms per gram of suppository.

This order, which provides for the marketing of a new penicillin product, shall become effective upon publication in the FEDERAL REGISTER since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay the marketing of a new penicillin product.

(Sec. 507, 52 Stat. 1040, as amended, 59 Stat. 463; 21 U. S. C. Supp. V., 357)

Dated: December 26, 1946.

[SEAL]

WATSON B. MILLER,
Administrator

[F. R. Doc. 46-22040; Filed, Dec. 31, 1946;
8:49 a. m.]

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS**PENICILLIN VAGINAL SUPPOSITORIES**

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V 357) the regulations for the certification of batches of penicillin-containing drugs (11 F. R. 12136) are hereby amended by adding the following new section:

§ 146.36 *Penicillin vaginal suppositories (sodium penicillin vaginal suppositories, calcium penicillin vaginal suppositories, potassium penicillin vaginal suppositories, penicillin vaginal suppositories sodium salt, penicillin vaginal suppositories calcium salt, penicillin vaginal suppositories potassium salt)*—(a) *Standards of identity, strength, quality, and*

purity. Penicillin suppositories are suppositories composed of sodium penicillin, calcium penicillin, or potassium penicillin or a mixture of these salts in a base of spermaceti and cocoa butter. The potency of each suppository is not less than 100,000 units; its moisture content is not more than 1.0 percent; its content of viable microorganisms is not more than 50 per gram. The sodium penicillin, calcium penicillin and potassium penicillin used conform to the requirements of § 146.24 (a), except subparagraphs (1) (2) (4) and (7) of that paragraph, but its potency is not less than 300 units per milligram. The spermaceti and cocoa butter conform to the standards prescribed therefor by the U. S. P.

(b) *Packaging*. In all cases, the immediate container of penicillin vaginal suppositories shall comply with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling*. Each package of penicillin vaginal suppositories shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each suppository of the batch; and

(iii) The statement, "Expiration date _____" the blank being filled in with the date which is 12 months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a _____", the blank being filled in with the word "physician" or "veterinarian" or both as the case may be; and

(iii) Unless the drug is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such suppositories; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure or printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if the drug is intended solely for veterinary use, directions and precautions adequate for the use of such suppositories, including:

(i) Clinical indications;

(ii) Dosage and administration;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin vaginal suppositories shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin, calcium penicillin, or potassium penicillin used in making such batch was completed, the number of units in each suppository, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that the spermaceti and cocoa butter used in making such batch conform to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per suppository, moisture, microorganism count.

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G) crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

(3) Except as otherwise provided by subparagraph (4) of this paragraph such person shall submit in connection with his request in the quantities hereinafter indicated, accurately representative sample of the following:

(i) The batch: One suppository for each 5000 suppositories in the batch, but in no case less than 20 suppositories or more than 100 suppositories, collected by taking single suppositories at such intervals throughout the entire time the suppositories are being made, that the quantities made during the intervals are approximately equal.

(ii) The sodium penicillin, calcium penicillin, or potassium penicillin used in making the batch: 6 packages, or in the case of crystalline penicillin, 10 packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, the spermaceti and cocoa butter used in making the batch: one package of each containing respectively approximately 10 grams and 100 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin vaginal suppositories under the regulations in this part shall be:

(1) \$2.00 for each suppository in the sample submitted in accordance with paragraph (d) (3) (i) of this section;

\$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations other than examination of such suppositories and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d)

This order, which provides for the marketing of a new penicillin product shall become effective upon publication in the FEDERAL REGISTER since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay the marketing of a new penicillin product.

(Sec. 507, 52 Stat. 1040, as amended, 59 Stat. 463; 21 U. S. C., Supp. V 357)

Dated: December 26, 1946.

[SEAL] WATSON B. MILLER,
Administrator.

[F. R. Doc. 46-22041; Filed, Dec. 31, 1946; 8:49 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter C—The Foreign Service

PART 102—PERSONNEL ADMINISTRATION

SALARIES OF OFFICERS TEMPORARILY IN CHARGE

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to sections 302, 421, and 422 of the Foreign Service Act of 1946 (Public Law 724, 79th Cong.), the Foreign Service Regulations comprising Part 102 of Title 22 of the Code of Federal Regulations are amended by adding the following section:

§ 102.101 *Salaries of officers temporarily in charge.*—(a) *Salaries of chargés de affaires ad interim.* A Foreign Service officer authorized to act as chargé d'affaires ad interim at the post to which he is assigned, shall, if he acts in such capacity for a period in excess of ten days, receive compensation, in addition to his basic salary as Foreign Service officer, computed as follows:

(1) One half the difference between his basic salary and the per annum salary provided for the chief of mission at that post for the first three months he shall act in such capacity. Payment of this additional compensation shall be made for the period beginning the first day the officer is in charge.

(2) Three-fourths of the difference between his basic salary and the per annum salary provided for the chief of mission at that post for the next three months he shall act in such capacity.

(3) Should an assignment to act temporarily in charge extend beyond six months, the officer may apply for and the Secretary may in his discretion allow the payment of the full difference in salaries after the sixth month (sec. 421, Foreign Service Act of 1946).

(b) *Salaries of officers in charge of consulates and consulates general.* A Foreign Service officer or a consul or vice consul who is not a Foreign Service officer who is temporarily in charge of a consulate general or consulate during the absence or incapacity of the principal officer, shall be entitled to additional compensation computed in accordance with the provisions of paragraph (a) of this section (sec. 422, Foreign Service Act of 1946).

(c) The additional compensation paid to a diplomatic or consular officer acting temporarily in charge shall be known as *chargé pay*. (R. S. 161, secs. 302, 421, 422 Pub. Law 724, 79th Cong., 60 Stat. 993; 5 U. S. C. 22)

This regulation shall become effective on November 13, 1946.

For the Secretary of State.

[SEAL] DONALD RUSSELL,
Assistant Secretary.

[F. R. Doc. 46-22039; Filed, Dec. 31, 1946; 8:50 a. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 83]

PART 203—OPERATION

APPRAISAL REQUIREMENTS ON LOANS INSURED UNDER THE NATIONAL HOUSING ACT, AS AMENDED

DECEMBER 27, 1946

Section 203.21 *Additional lending powers* (10 F. R. 11234, 11 F. R. 631) is hereby amended, effective January 1, 1947 by adding paragraph (c) reading as follows:

(c) The making or purchasing of any loan approved for insurance protection under the provisions of the National Housing Act, as now or hereafter amended, where one qualified person selected by the board of directors shall have submitted a signed appraisal of the real-estate security for such loan: *Provided*, That the making or purchasing of any such loan shall be otherwise subject to any applicable limitations imposed by law, the association's Charter, or any rule or regulation, or otherwise.

The Federal Home Loan Bank Administration finds, pursuant to the provisions of the Administrative Procedure Act approved June 11, 1946 (60 Stat. 237) and 24 CFR 201.2, that notice and public procedure on this amendment are unnecessary because the amendment relieves a restriction on Federal savings and loan associations.

(Sec. 5 (a) (c) 48 Stat. 132, 133; 12 U. S. C. 1464 (a) (c) E. O. 9070, Feb. 24, 1942, 7 F. R. 1529)

[SEAL] HAROLD LEE,
Governor
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to
the Commissioner

[F. R. Doc. 46-22038; Filed, Dec. 31, 1946;
9:01 a. m.]

Chapter VI—Federal Public Housing Authority

PART 610—LOW-RENT HOUSING AND SLUM CLEARANCE PROGRAM: PROCEDURES

COMMUNITY SERVICES AND TENANT ACTIVITIES

Section 610.415¹ is amended, effective January 3, 1947, to read as follows:

§ 610.415 *Community services and tenant activities*—(a) *Relationship with community service agencies.* The local authority shall be responsible for planning and for developing and maintaining working relationships and agreements with local community service agencies for the provision of education, recreation, health, and welfare facilities and services to meet the needs of the residents of the development. It shall discharge these responsibilities in such a manner as to promote the maximum application of the resources of community service agencies in meeting these needs. Where necessary facilities cannot be provided by local community service agencies, the local authority shall provide such facilities as a part of the development in accordance with FPHA minimum physical standards (see § 610.213)

(b) *Relationship with tenants.* The local authority shall encourage tenants to assume community responsibilities, and shall stimulate and assist individual tenants and tenant groups and organizations (1) to plan and work with management on those phases of the development's operation which affect them, (2) to participate with management and with local community service agencies in planning and evaluating community services and activities, and (3) to sponsor and operate services and programs in order to supplement those provided by community service agencies.

(c) *Integration of developments with community.* In fulfilling its responsibilities, the local authority shall strive for complete integration of the development with the neighborhood and community and for integration of the community services and programs conducted in the development with those conducted in the community at large. (50 Stat. 888; 42 U. S. C. 1401-30)

Approved: December 24, 1946.

[SEAL] D. S. MYER,
Commissioner

[F. R. Doc. 46-22016; Filed, Dec. 31, 1946;
8:51 a. m.]

¹Part 610, formerly Part 601, appeared at 10 F. R. 7321.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 130—TRANSACTIONS IN FOREIGN EXCHANGE AND FOREIGN-OWNED PROPERTY, REPORTING OF ALL FOREIGN-OWNED PROPERTY AND RELATED MATTERS

LICENSES

Amendment of regulations of April 10, 1940, as amended under Executive Order No. 8389, as amended.

Section 130.3 is hereby amended to read as follows:

§ 130.3 *Licenses.* All applications for licenses to engage in any transaction prohibited by the order or otherwise prohibited pursuant to sections 3 (a) or 5 (b) of the act of October 6, 1917 (40 Stat. 415) as amended, shall be filed in duplicate with the Federal Reserve Bank of New York, with the exception of applications from the territory of Hawaii which shall be filed directly with the Secretary of the Treasury, Washington, D. C. The applicant shall furnish such information as shall be requested of him by the Secretary of the Treasury or the Federal Reserve Bank of New York. Licenses will be issued by the Secretary of the Treasury, acting directly or through any officers or agencies that he may designate, and by the Federal Reserve Bank of New York, acting in accordance with such regulations, rulings and instructions, as the Secretary of the Treasury may from time to time prescribe, in such cases or classes of cases as the Secretary of the Treasury may determine. The Federal Reserve Bank of New York or the Secretary of the Treasury will advise the applicant of the decision respecting the application. Appropriate forms for applications and licenses will be prescribed by the Secretary of the Treasury. Licensees may be required to file reports upon the consummation of transactions. The decision of the Secretary of the Treasury with respect to an application for license shall be final.

(Sec. 5 (b) 40 Stat. 415, 966; sec. 2, 48 Stat. 1; 54 Stat. 179; sec. 301, 55 Stat. 839; 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b) E. O. 8389, April 10, 1940, 5 F. R. 1400; E. O. 8785, June 14, 1941, 6 F. R. 2897; E. O. 8832, July 26, 1941, 6 F. R. 3715; E. O. 8963, Dec. 9, 1941, 6 F. R. 6348; E. O. 8998, Dec. 26, 1941, 6 F. R. 6785; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 46-21934; Filed, Dec. 30, 1946;
8:46 a. m.]

PART 138—ORGANIZATION OF FOREIGN FUNDS CONTROL

MISCELLANEOUS AMENDMENTS

Sections 138.2 (b) 138.3 (f) 138.4 (b) and 138.6 are hereby amended to read as follows:

§ 138.2 *Outline of organization.*
* * *

(b) *The field organization.* Foreign Funds Control is represented in the field by the Federal Reserve Bank of New York. There is also a small Liberated Areas Staff. Under General Ruling No. 5 (31 CFR, 1943 Supp., 131, App. A) controls over the importation of securities and currency are in the first instance enforced in the field by the Bureau of Customs and the Post Office Department as agents of the Control.

§ 138.3 *Description of functions performed by divisions and offices.* * * *

(f) *Federal Reserve Bank.* Under general supervision of the central organization, the Federal Reserve Bank of New York performs substantially all field operations of the Control in the territorial United States and Puerto Rico other than initial enforcement of controls over importation of securities and currency under General Ruling No. 5 (31 CFR, 1943 Supp., 131, App. A) Excepting a limited category of cases directly involving foreign governments, all license applications with the exception of applications from the territory of Hawaii, are filed with the Federal Reserve Bank of New York and final action on the applications is announced through it.

§ 138.4 *Delegation of final authority.* * * *

(b) *The field organization.* Authority to take final licensing action on most types of applications has been delegated to the Federal Reserve Bank of New York, subject to policies and procedures prescribed by Foreign Funds Control. Applications which are of a special nature or involve policy decisions are forwarded to the central office for review before final action.

§ 138.6 *Places and methods of securing information and making submittals*—(a) *Information, submittals and requests in general.* The public may in general secure any information or make submittals, requests or petitions with respect to any Foreign Funds Control matters by communicating through correspondence or telephone or by coming in person or sending a representative, either to the central office in Washington or to the Federal Reserve Bank of New York.

(b) *Applications for licenses.* Applications for licenses to effect transactions subject to the Control should be filed with the Federal Reserve Bank of New York, with the exception of applications from the territory of Hawaii which should be filed directly with the Secretary of the Treasury as prescribed by the appropriate regulations (31 CFR, 130.3), or other applicable document. Instructions in this respect are set forth in § 139.1 of this chapter.

(c) *Prescribed forms.* Forms and instructions to be used in submitting license applications, reports and certain other types of submittals or requests are covered in § 139.1 through § 139.3, inclusive, of this chapter.

(d) *Addresses.* Correspondence with the central office should be directed to "Foreign Funds Control, United States, Treasury Department, Washington 25, D. C." Personal inquiries to the central office should be made at the District National Bank Building, 1406 G Street

N. W., Washington, D. C. All correspondence or inquiries to the Federal Reserve Bank of New York should be addressed as follows: Foreign Funds Control Department, Federal Reserve Bank of New York, 33 Liberty Street, New York 7, New York.

(R. S. 161, sec. 3 (a) 40 Stat. 412, sec. 5 (b) 40 Stat. 415, 966, sec. 2, 48 Stat. 1, 54 Stat. 179, sec. 301, 55 Stat. 839, Pub. Law 404, 79th Cong., 60 Stat. 237; 5 U. S. C. 22, 50 U. S. C. App. 3 (a) 12 U. S. C. 95a, 50 U. S. C. App. Sup., 5 (b), E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, E. O. 9567, June 8, 1945; 3 C. F. R. Cum. Supp. 10 F. R. 6917)

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Dec. 46-21932; Filed, Dec. 30, 1946;
8:46 a. m.]

PART 139—PROCEDURES OF FOREIGN FUNDS CONTROL LICENSING

Section 139.1 (b) of this title is hereby amended to read as follows:

§ 139.1 Licensing. * * *

(b) *Specific licenses*—(1) *General course of procedure*. Transactions subject to the Executive orders which are not authorized by general license may be effected only under specific license. The specific licensing activities of Foreign Funds Control are performed by the central organization and the Federal Reserve Bank of New York. Under policies and procedures prescribed by the Control, the Federal Reserve Bank takes final action upon most applications filed with it. All other applications are forwarded to the central office and are initially referred to the section within the Control dealing with the type of subject matter or transaction with which the application is concerned. (For a description of the organization of the Control see §§ 138.2 through 133.3, inclusive, of this chapter) When an unusual problem is presented, the proposed action is cleared with the Chief of the Division or with the Director.

(2) *Applications for specific licenses*. Except as provided below, applications for specific licenses are to be filed on Form TFE-1 with the Federal Reserve Bank of New York or other agency prescribed in the appropriate regulations. 31 CFR, 130.3.

Applications for the release of securities imported into the United States and surrendered in accordance with the provisions of General Ruling No. 5 (31 CFR, 1943 Supp., 131, App. A) are to be filed on Form TFA-1 with the Federal Reserve Bank of New York.

(3) *Information to be supplied*. Applicants must supply all information specified by the respective forms and instructions, including, in the case of business enterprises applying for operating licenses, the information required by Form TFBE-1. They may also be required to furnish such information as is

deemed necessary to a proper determination by the Control or the Federal Reserve Bank of New York. If an applicant or other party in interest desires to present additional information or discuss or argue the application, he may do so at any time before or after decision. Arrangements for oral presentation should ordinarily be made with the agency with which the application was filed.

(4) *Effect of denial*. Except as provided by General Ruling No. 19 (31 CFR 131 App. A; 11 F. R. 8530) relating to property vested by the Alien Property Custodian, the denial of a license does not preclude the reopening of an application or the filing of a further application. The applicant or any other party in interest may at any time request explanation of the reasons for a denial by correspondence or personal interview.

(5) *Reports under specific licenses*. As a condition upon the issuance of any licenses, the licensee may be required to file reports with respect to the transaction covered by the license, in such form and at such times and places as may be prescribed in the license or related communication.

(R. S. 161, sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415, 966; sec. 2, 48 Stat. 1; 54 Stat. 179; sec. 301, 55 Stat. 839; Pub. Law 404, 79th Cong., 60 Stat. 237; 5 U. S. C. 22; 50 U. S. C. App. 3 (a), 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b), E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941; E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942; E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917)

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Dec. 46-21933; Filed, Dec. 30, 1946;
8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 59 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 8040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9539, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 8803, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 7, as Amended Dec. 31, 1946]
CERTIFICATIONS ON PURCHASE ORDERS AND
OTHER DOCUMENTS

§ 944.27 *Priorities Regulation No. 7—*
(a) *What this regulation does*. This regulation explains the use of certifications on purchase orders and delivery orders. It sets forth a standard form of

certification which may be used where orders and regulations of the Civilian Production Administration permit. It also states the rules for signing and executing all certificates and other documents which must be filed under CPA orders and regulations.

Standard Certification

(b) *When standard certification may be used*. The standard certification which is described below may be used on purchase and delivery orders only when expressly permitted by the applicable regulation or order of the Civilian Production Administration.

(c) *Use is optional*. The use of the standard certification is optional unless an order or regulation states that it is the only one that can be used. Anyone who wishes to may use the more specific certifications provided by the various orders and regulations, such as the one given in Priorities Regulation 3 for use in applying or extending preference ratings.

(d) *Form of standard certification*. The standard certification must be in substantially the following form:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the Civilian Production Administration, that, to the best of his knowledge and belief, the undersigned is authorized under applicable Civilian Production Administration regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating which the undersigned has placed on this order.

(e) *Additional information with standard certification*. When the standard certification is used, additional information must be given when required by the applicable order or regulation. This information may be put either at the end of the standard certification or anywhere else on the order, or accompanying it.

Waiving Certifications

(f) *Waiver of buyer's certification*. If a seller receives an order without the certification required by the governing CPA regulation or order, he may accept the purchase order and treat it as bearing the proper certification if he complies with the following rules:

(1) The seller must know the facts which the certification would show and must place the necessary certification on the order and sign it himself. He may not merely insert the certification over the buyer's signature. In adding the certification, the seller shall be deemed to make the representation to the Civilian Production Administration. The individual who signs for the seller must be a responsible official of the seller, duly

authorized to make binding representations in this respect on the seller's behalf.

(2) The seller must use the certification in the governing order or regulation unless it permits the use of the standard certification. In using the latter, he must change the words "undersigned purchaser" to "undersigned seller" cross out the words "the seller and" and change the words "the undersigned is authorized" to "the buyer is authorized" If he uses the form in the governing order or regulation, he must make corresponding changes in wording.

(3) A certification may not be waived if the governing order or regulation expressly states that it may not be waived.

(g) [Deleted Dec. 31, 1946.]

(h) [Deleted Dec. 31, 1946.]

(i) [Deleted Dec. 31, 1946.]

Signature of Certification

(j) *Who must sign and how.* Certifications on purchase or delivery orders which are required by CPA orders or regulations must be signed by the person placing the order (or the person receiving it under paragraph (f) above, or by a responsible individual who is duly authorized to sign for that purpose. The signature must be either by hand or in the form of a rubber stamp or other facsimile reproduction of a handwritten signature.

(k) *Use of facsimile signature.* If a facsimile signature is used, the individual who uses it must be duly authorized by the individual whose signature it is, to use it on representations to the Civilian Production Administration, and a written record of the authorization must be kept.

(l) *Only one signature necessary in most cases.* If several certifications are placed above the signature of the purchaser order, they need not be separately signed provided the purchase order is signed in the way required for a certification by paragraph (j) above. If any certifications are placed below the signature of the purchase order, or on the back of it, the last certification must be separately signed, unless there is a statement above the signature of the purchase order which shows clearly that it applies to the certification.

(m) *Certification may be on separate paper.* If it is not convenient to place a certification on a purchase order or delivery order, it may be placed on a separate piece of paper either attached to it or clearly identifying it. For example, if the buyer has sent an order but has forgotten to place the certification on it, he may send the seller a separate certification clearly identifying the order to which it applies. A signature on the purchase order shall apply to the certification on an attached or unattached piece of paper only where the words above the signature clearly make it include the certification.

(n) *Signature on other documents.* The above rules for signing certifications on purchase orders also apply to the signature on reports, applications for

preference ratings, and other documents that are required to be filed under orders and regulations of the Civilian Production Administration.

Telegraph, Telephone and Verbal Orders

(o) *Telegraphic orders.* When a purchase order is placed by telegram and a certification is necessary the certification must be set out in full in the telegram. It will be sufficient if the file copy of the outgoing telegram is signed in the manner required for certification by this regulation. Also, the certification contained in the telegram may be abbreviated in the following cases, but the purchaser assumes the same responsibility as if it were set out in full:

(1) When the standard certification is used, it may be shortened to the words "order certified under Priorities Regulation 7."

(2) When the certification is used for the sole purpose of applying or extending a preference rating, the words "ratings certified" or words to that effect are enough.

(3) Where the certification is used for the sole purpose of showing that the order comes under a small order exemption in an order or regulation of the Civilian Production Administration, it may be shortened to "small order certified."

(4) Where the certification required simply states the number of the CPA authorization form, the identification of the form and its number only need be given.

(p) *Verbal or telephone orders.* On purchase orders requiring shipment within seven days the substance of the certification may be stated verbally or by telephone. However, the following rules must be complied with:

(1) The person making the statement for the buyer must be a person duly authorized to make the certification.

(2) Both the buyer and the seller must promptly make a written record of the fact that the certification was given orally and the record must be signed by the buyer in the same way as a certification.

Miscellaneous Provisions

(q) *Responsibility for truth of certification.* The person who places the order, the individual whose signature is used and the individual who approves the use of the signature will each be considered to be making a representation to the Civilian Production Administration that the statements contained in the certification are true to the best of his knowledge and belief, subject to criminal penalties for misrepresentation. The person receiving the certification and other information required to be included with the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

(r) *Reference to criminal penalties.* The reference to criminal penalties for misrepresentation in the above forms of certification and similar phrases in certifications required by other orders and

regulations are included solely for the purpose of making sure that persons signing certifications realize the responsibility they are undertaking. These references may not be omitted, but their inclusion shall not be deemed to make any person subject to any criminal penalties to which he would not be subject if the references were omitted.

(s) *Records to be kept by the purchaser.* Each person using any certification must maintain at his regular place of business all documents upon which he relies as entitling him to make the representations in the particular certification used and to supply the other information required to be placed with his purchase order. These documents must be segregated and available for inspection by a representative of the Civilian Production Administration or filed in such manner that they can be readily segregated and made available for inspection.

(t) *Effect on other regulations and orders.* Provisions in any other orders or regulations of the Civilian Production Administration which are inconsistent with this regulation may be disregarded unless they expressly state that this regulation does not apply.

(u) *Use and disposal of material obtained with certification.* Any person who gets any material with a certification prescribed by a CPA order or regulation must use or dispose of the material only in accordance with the provisions of the certification as long as the governing order or regulation remains in effect.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION

ADMINISTRATION,

By J. JOSEPH WHELAN,

Recording Secretary.

LIST A—[Deleted Dec. 31, 1946.]

LIST B—[Deleted Dec. 31, 1946.]

LIST C—[Deleted Dec. 31, 1946.]

INTERPRETATION 1

PREFERENCE RATING MUST BE FURNISHED BY THE BUYER

Paragraph (f) of Priorities Regulation No. 7, which permits a seller to waive the buyer's certification where he knows the facts, does not allow the seller to rate an order which the buyer has not attempted to rate. If the buyer has stated the rating on the order but has not certified it, the seller may add the appropriate certification; and if the buyer has not shown the rating on the order, but has otherwise informed the seller that he wishes to apply or extend the rating, the seller may also insert it on the order. (Issued Jan. 5, 1944.)

[F. R. Doc. 46-21838; Filed, Dec. 31, 1946; 11:19 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension² Order S-1057]

GEORGE CHANG AND NICHOLAS CANTERA

George Chang resides at and is the owner of the premises at 112 West 7th Street, Wilmington, Delaware. Nicholas Cantera is a General Building Contrac-

tor, conducting his business at 1602 Sycamore Street, Wilmington, Delaware. Subsequent to March 26, 1946, they began construction in altering and building a residential and commercial addition to a commercial building at 112 West 7th Street, Wilmington, Delaware, at an estimated cost of \$35,000, without authorization of the Civilian Production Administration. On July 31, 1946, official telegrams from the Civilian Production Administration by J. Joseph Whelan, Recording Secretary, were sent to George Chang and Nicholas Cantera, ordering them to stop all construction work within one week unless they obtained from a Civilian Production Administration Compliance Commissioner written findings that the construction work does not appear to be in violation of Civilian Production Administration orders and regulations. In spite of being fully informed as to the requirements under the Veterans' Housing Program, and the receipt of the telegrams, they have continued to carry on the said construction. The beginning and carrying on of this construction, without authorization, constituted a wilful violation of Veterans' Housing Program Order No. 1. This violation had diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1057 *Suspension Order No. S-1057* (a) Neither George Chang nor Nicholas Cantera, their successors or assigns, or any other person shall do any construction on the premises located at 112 W. 7th Street, Wilmington, Delaware, including the completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration or the Federal Housing Administration.

(b) George Chang and Nicholas Cantera shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or Federal Housing Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve George Chang or Nicholas Cantera, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22107; Filed, Dec. 31, 1947;
11:20 a. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-1046]

DURA-BILT GARAGE BUILDING CO., INC. AND
JACK SCHERR AND MEYER YAGODA

Dura-Bilt Garage Building Company, Inc., a Michigan Corporation, and Jack No. 1—2

Scherr and Meyer Yagoda—individually and doing business as Bilt-Rite Cement Company—with principal places of business at 18109 James Couzens Highway, Detroit, Michigan, and 19132 Schaefer Highway, Detroit, Michigan, respectively, on or about April 29, 1946, in the case of a structure at 1854 Twenty-first Street, Wyandotte, Michigan, and on or about August 10, 1946, in the case of a structure at 20400 Ward Avenue, Detroit, Michigan, without authorization of the Civilian Production Administration, began and after the aforesaid dates carried on construction of a residential garage at each of the above locations, the estimated cost of each of which was in excess of \$400, in violation of Veterans' Housing Program Order No. 1. These violations have diverted scarce materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1046 *Suspension Order S-1046*. (a) Neither Dura-Bilt Garage Building Company, Inc., nor Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, their successors or assigns, nor any other person, shall do any further construction on the premises located at 1854 Twenty-first Street, Wyandotte, Michigan, and 20400 Ward Avenue, Detroit, Michigan, including putting up, completing or altering the structure, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Dura-Bilt Garage Building Company, Inc., and Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, shall not, for a period of three months from the effective date of this order, apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(c) Dura-Bilt Garage Building Company, Inc., and Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, shall cancel immediately all preference ratings which they have applied or extended to orders which have not yet been filled.

(d) Dura-Bilt Garage Building Company, Inc., and Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, shall not, for the three months from the effective date of this order, receive or accept delivery of any materials obtained through the use of preference ratings. This does not apply to material in transit for delivery to them on the effective date of this order.

(e) Dura-Bilt Garage Building Company, Inc., and Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction in connection with the construction hereby prohibited.

(f) The provisions of this order shall not apply to any housing projects which Dura-Bilt Garage Building Co., Inc., or Built-Rite Cement Company have re-

ceived authority to construct prior to issuance of this order from the Federal Housing Administration nor to the use of any preference ratings so authorized.

(g) Nothing contained in this order shall be deemed to relieve Dura-Bilt Garage Building Company, Inc., and Jack Scherr and Meyer Yagoda, individually and doing business as Built-Rite Cement Company, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(h) Paragraphs (b) (c) and (d) of this order shall take effect on the 7th day of January, 1947, and the remaining paragraphs shall take effect upon the date of issuance.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22108; Filed, Dec. 31, 1946;
11:20 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, List 1, as Amended Dec. 31,
1946, to Direction 13]

PURCHASERS ELIGIBLE FOR VETERANS PREFERENCE

A purchaser is eligible, under paragraph (q) of Direction 13 to PR 33, for veterans' preference in buying a new mounted VEHP house trailer if he is in one of the following classes and if, in addition, he meets the other requirements stated in paragraph (q)

(a) A person who (1) has served in the active military or naval forces of the United States on or after September 16, 1940, (2) has been discharged or released therefrom under conditions other than dishonorable, and (3) wishes to buy the house trailer for his own full-time housing use or for the full-time housing use of his dependent family.

(b) A person who (1) is serving in the active military or naval forces of the United States, (2) requires dwelling accommodations for his dependent family, and (3) wishes to buy the house trailer for the full-time housing use of his dependent family.

(c) The spouse of a veteran (as described in paragraph (a) of this list) who died after being discharged or released from service, or the spouse of a person who served in the active military or naval forces of the United States on or after September 16, 1940 and who died in service, if the spouse wishes to buy the house trailer for full-time housing use by her (him) and a child or children of the deceased.

(d) A citizen of the United States who (1) served in the Armed Forces of an allied nation during World War II (and who has been discharged or released therefrom under conditions other than dishonorable), (2) requires dwelling accommodations for his dependent family, and (3) wishes to buy the house trailer for the full-time housing use of his dependent family.

(e) A person to whom the War Shipping Administration has issued a certificate of continuous service in the United States Mer-

chant Marine and who (1) requires dwelling accommodations for his dependent family, and (2) wishes to buy the house trailer for the full-time housing use of his dependent family.

(f) A citizen of the United States who (1) as a civilian, was interned or held a prisoner of war by an enemy nation at any time during World War II, (2) requires dwelling accommodations for his dependent family and (3) wishes to buy the house trailer for the full-time housing use of his dependent family.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22103; Filed, Dec. 31, 1946;
11:20 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as amended December 31,
1946]

Rubber Order R-1, as amended November 15, 1946, is hereby further amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of natural rubber and other materials entering into the production of rubber products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Purpose of this order. Rubber Order R-1 embraces the Civilian Production Administration regulations covering acceptance of delivery of certain raw materials, restrictions on consumption, purchase procedure, delivery, inventories and importation, and deliveries of tires and tubes for original equipment.

Appendix I, which is printed at the foot of this order, establishes general permitted uses for raw materials and special restrictions for the use of raw materials in the manufacture of specified products listed in Table B.

Appendix II, which is printed separately, establishes manufacturing regulations for various end products, principally tires and tubes, set out in lists applicable to the particular product.

Sec.

- 4600.01 Definitions of certain terms.
- 4600.02 Authorization required to accept delivery of certain raw materials.
- 4600.03 Restrictions on consumption of natural rubber (excluding natural rubber latex) and butyl.
- 4600.03a Authorization required to accept delivery of and to consume natural rubber latex.
- 4600.04 Purchase requests for natural rubber, natural rubber latex, GR-S and Butyl.
- 4600.05 Restrictions on making deliveries of materials.
- 4600.06 Restrictions on inventories of materials.
- 4600.07 Restrictions on importations of materials.
- 4600.08 Fifteen day inventory of tires and tubes for vehicle manufacturers.
- 4600.09 [Deleted November 15, 1946].
- 4600.10 [Deleted November 15, 1946].
- 4600.11 Scrap S-7 tires.

Sec.

- 4600.12 Reports.
 - 4600.13 Applicability of regulations.
 - 4600.14 Appeals.
 - 4600.15 Violations.
 - 4600.16 Communications.
- Appendix I—General permitted uses of raw materials and table of permitted products.
Appendix II—Manufacturing regulations (printed separately).

§ 4600.01 Definitions of certain terms. As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, including guayule. Not included in the definitions are reclaimed rubber, scrap rubber, balata, chille, gutta percha, gutta siak, gutta jelutong or pontianac.

(b) "Natural rubber latex" means the dry latex solids contained in natural rubber liquid latex.

(c) "Reclaimed rubber" means any vulcanized material derived from the processing or treatment of scrap rubber, but excluding reclaimed residue or "mud". Reclaimed residue or "mud" means dried or recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(d) "Scrap rubber" means any finished or semi-finished product or part thereof made in part or in whole from natural rubber or natural rubber latex which through wear, deterioration or obsolescence, cannot be used in the processing of any product for which the use of natural rubber or natural rubber latex is permitted in Table B of Appendix I hereof. Not included in the definition of scrap rubber is any vulcanized or unvulcanized material with a specific gravity of 1.15 or less which results from or is incident to the handling or the processing of natural rubber or natural rubber latex in the manufacture or the repair of any product and which may be used for a purpose for which originally designed, or which may be used for any product for which the use of natural rubber or natural rubber latex is permitted in Table B of Appendix I hereof. Also not included in the definition is any finished or semi-finished product or material containing natural rubber or natural rubber latex which may be used for a purpose for which originally designed, or which may be used for any product for which the use of natural rubber or natural rubber latex is permitted in Table B of Appendix I hereof.

(e) "Synthetic rubber" means Neoprene (all types including latex) Butyl (GR-I) all grades; all Butadiene polymer and copolymer types including latex, including but not limited to GR-S types, such as Hycar OS and Styraloy; and all Butadiene-Acrylonitrile types, such as Hycar, Perbunan, Chemigum, Butaprene, Thiokol RD and GR-A.

(f) "Butyl" means all types of Butyl (GR-I) except butyl plant clean-up material.

(g) "Chlorinated natural rubber" means the reaction product of chlorine and natural rubber.

(h) "Consume" means to compound, expend, formulate, or in any manner make any substantial change in the form, shape or chemical composition of natu-

ral rubber, natural rubber latex, synthetic rubber, or reclaimed rubber.

(i) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

§ 4600.02 *Authorization required to accept delivery of certain raw materials.* (a) No person shall accept delivery of any of the following raw materials:

Natural rubber (excluding natural rubber latex).
Butyl.
GR-S.

until he has received an authorization to do so from the Civilian Production Administration on Form CPA-4488. Applications for an authorization to accept delivery of any or all of these materials shall be made on Form CPA-4488, pursuant to instructions accompanying that Form, not later than the first day of the month next preceding the calendar quarter for which the authorization is required. The authorizations to accept delivery on Form CPA-4488 will be mailed by the Civilian Production Administration only to applicants who previously have applied on Form CPA-4488. This authorization form will be mailed on or before the 20th day of the month next preceding the calendar quarter for which the delivery is authorized.

(b) *Pale crepe.* Only manufacturers of the products specified in Table B of Appendix I for which the use of pale crepe is specifically permitted, will be authorized by the Civilian Production Administration to accept delivery of that material.

(c) *Basis for authorization to accept delivery of natural rubber (excluding natural rubber latex), Butyl and GR-S.* In determining the amounts of natural rubber (excluding natural rubber latex) Butyl and GR-S to be authorized for acceptance of delivery by an applicant in any calendar quarter, the Civilian Production Administration will take into consideration the consumption and inventories of those materials reported monthly on Form CPA-3410 and quarterly on Form CPA-4488, information furnished by the applicant as to past production and estimated future production of rubber products, as well as the proportional requirements for such materials in the production of rubber products, required by Appendices I and II hereof. It will be the policy of CPA to distribute equitably the supply of these materials among all consumers so that the quantities authorized for delivery will be sufficient for industry to maintain its production schedules, within the limitations of the available supplies of these materials. The CPA will determine the end use of any grade of natural rubber consistent with technical requirements and available supplies.

§ 4600.03 *Restrictions on consumption.* No person shall consume natural rubber or Butyl except in the manufacture of permitted products listed in Appendix I hereof and in accordance with the applicable special restrictions or provisions in Appendix I and the manufac-

turing regulations in Appendix II. These materials may be consumed for experimental use without authorization to the extent permitted in Table A of Appendix I.

§ 4600.03a *Authorization required to accept delivery of and to consume natural rubber latex.* No person other than the Office of Rubber Reserve shall accept delivery of or consume natural rubber latex until he has received an authorization to do so from the Civilian Production Administration on Form CPA-4562. Applications for an authorization to accept delivery of and to consume natural rubber latex shall be made on Form CPA-4562 pursuant to instructions accompanying that form, not later than the first day of the month next preceding the calendar quarter in which the authorization is required. The authorizations to accept delivery of and to consume on Form CPA-4562 will be made by the CPA only to those persons who have previously filed applications on Form CPA-4562. These authorizations will be mailed on or before the 20th day of the month next preceding the calendar quarter for which the delivery is authorized.

(a) Only those manufacturers of the products specified in Table B, Appendix I and in List 8 of Appendix II for which the use of natural rubber latex is specifically permitted will be authorized to accept delivery of this material and to consume this material. Where the application shows natural rubber latex is to be used for prophylactics, animal curled hair and foamed latex products, the authorization to consume will be made in the proportion that the supply available for such products bears to the total requirements.

§ 4600.04 *Purchase requests for natural rubber, natural rubber latex, Butyl and GR-S (all types).* Natural rubber, natural rubber latex, Butyl and GR-S (all types) are sold by the Office of Rubber Reserve, RFC. Persons wishing to purchase any of these materials from the Office of Rubber Reserve shall first file their requests for natural rubber, Butyl or GR-S on Form CPA-4488 and for natural rubber latex on Form CPA-4562, with the Rubber Division, CPA, in accordance with instructions accompanying the Forms.

(a) *Issuance by Office of Rubber Reserve of purchase permits.* On the basis of such requests, the Civilian Production Administration will recommend to the Office of Rubber Reserve that a purchase permit be issued to the applicant for an amount determined by CPA from the applicant's inventory and the amount authorized for delivery on Form CPA-4488 or Form CPA-4562. The Office of Rubber Reserve will issue purchase permits directly to the applicant.

§ 4600.05 *Restrictions on making deliveries of raw materials.* No person (other than the Office of Rubber Reserve) shall deliver to any person (other than the Office of Rubber Reserve) any natural rubber, natural rubber latex, Butyl or GR-S except as specifically authorized by the Civilian Production Administration. Any person (other than

the Office of Rubber Reserve) wishing to make delivery to any person (other than the Office of Rubber Reserve) of any of these raw materials shall apply by letter to the Rubber Division, Civilian Production Administration, stating the type of material, the quantity and the name of the person to whom it will be delivered. The Civilian Production Administration may issue an authorization for the delivery, taking into account the consumption capacity of the person to whom the delivery is to be made, his actual consumption as reported on Form CPA-3410 and the products for which the material is to be used. Nothing contained in this section shall be deemed to prohibit:

(a) Delivery of natural rubber, natural rubber latex, synthetic rubber of any type or reclaimed rubber from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary within the continental limits of the United States.

(b) Delivery of natural rubber, natural rubber latex, Butyl or GR-S to any person for the purpose of milling, washing, deresinating, drying, compounding or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to the person making the delivery.

§ 4600.06 *Restrictions on inventories of materials.* No person other than the Office of Rubber Reserve, shall accept delivery of any of the following materials, if his inventory is or will by virtue of such acceptance become in excess of the amount reasonably necessary to meet his requirements for the period designated below:

	Maximum Days
Natural rubber or natural rubber latex.....	60
Any type of synthetic rubber (including their latices).....	45
Reclaimed rubber.....	30

If any holder has an excess inventory, he may ask for the assistance of the Rubber Division, Civilian Production Administration, in its disposal.

A person engaged in the business of manufacturing synthetic rubber or of reclaiming rubber may, however, maintain such inventories of synthetic or reclaimed rubber of his own manufactured grades as he deems advisable. These exceptions may be made notwithstanding the provisions of this § 4600.06, or of Priorities Regulation No. 32, as amended.

§ 4600.07 *Restrictions on importation of materials.* For the purpose of this section, "import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States. It does not include shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States for transshipment to any foreign country.

No person shall import any natural rubber, natural rubber latex, or any finished or semi-finished product of which

10% or more by weight is composed of natural rubber or natural rubber latex, except as permitted under this section. The term "10% or more by weight" shall mean the weight of the rubber hydrocarbon content of the finished or semi-finished product.

The restrictions of this section shall not apply to any of the following:

(a) Any importation by the Office of Rubber Reserve or Rubber Development Corporation, or any agent acting for either of them.

(b) The importation by the United States Army or Navy of any finished product made of natural rubber, natural rubber latex or butyl.

(c) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported.

(d) The importation of any finished product made of natural rubber or natural rubber latex by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs.

(e) The importation of any finished product made of natural rubber or natural rubber latex by commercial representatives of any foreign government for use in their official business.

(f) The importation for testing purposes of camelback, or of tires or tubes or sections thereof by any manufacturer of camelback, tires or tubes.

(g) The importation of any scrap rubber.

(h) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of natural rubber or natural rubber latex provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale.

(i) The importation by any person of any finished or semi-finished product manufactured in accordance with the provisions of Rubber Order R-1 and in respect to which the importer shall furnish to the Collector of Customs at the port of entry a certificate substantially as follows:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in Section 35 (A) of the United States Criminal Code, that the products covered by the invoice to which this certificate is attached, as noted therein, are being imported into the United States in accordance with the provisions of § 4600.07 of Civilian Production Administration Rubber Order R-1. The undersigned further certifies that the products covered by the invoice to which this certificate is attached were manufactured in accordance with the special restrictions or provisions in Appendix I and the manufacturing regulations contained in Appendix II of R-1.

Date. _____ Signature. _____

§ 4600.08 *Fifteen (15) day inventory of tires and tubes for vehicle manufacturers.* No manufacturer of automobiles, trucks, tractors, trailers, farm machinery or other rubber-borne vehicles or equipment shall take delivery of any tires or tubes from a manufacturer of such

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products which will increase his inventory above that required for his scheduled production of vehicles or equipment during the 15-day period following any such delivery.

In the event of a decrease in the number of tires and tubes actually required, due to work stoppage in the vehicle manufacturer's plant or for any other cause, the vehicle manufacturer shall immediately notify his supplier of the reduction in the requirement and the scheduled deliveries must be revised accordingly.

§ 4600.09 [Deleted November 15, 1946].

§ 4600.10 [Deleted November 15, 1946].

§ 4600.11 *Scrap S-7 tires.* No person engaged in the business of selling or otherwise disposing of used or scrap tires, shall sell or otherwise dispose of any such tires of S-7 construction or higher quality, except for use in the manufacture of reclaimed rubber.

§ 4600.12 *Reports.* (a) The following persons shall file with the Civilian Production Administration a report on stocks, receipts, consumption and shipments on Form CPA-3410 in accordance with the instructions accompanying the Form.

(1) Each person who, during the next preceding month, consumed or owned any natural rubber, natural rubber latex or Butyl.

(2) Each person who during the preceding month consumed or owned the rubbers listed below, in excess of the following minimums:

	Con- sumption	Stocks
	Pounds 10,000	Pounds 10,000
Reclaimed rubber		
GR-S (all types, including GR-S latex).....	15,000	15,000
Neoprene.....	5,000	10,000
Butadiene-Acrylonitrile types.....	5,000	10,000

This paragraph shall not apply to persons who perform the operations listed in § 4600.05 (b) of this order except that producers of reclaimed rubber shall report their entire production regardless of the material consumed.

(b) Each manufacturer of tires and tubes or camelback, shall file a report on his production, shipments and inventory for each calendar month on Form CPA-3438 with the Civilian Production Administration, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Such other reports as may be required, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 4600.13 *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of Civilian Production Administration regulations as amended from time to time.

§ 4600.14 *Appeals.* Appeals from any provision of this order shall be made by filing Form CPA-2242 in accordance with the instructions appearing on the form.

§ 4600.15 *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

§ 4600.16 *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed be addressed to: Civilian Production Administration, Washington 25, D. C., Ref. Order R-1.

TABLE A—GENERAL PERMITTED USES OF RAW MATERIALS

Type of material	General permitted uses of raw materials subject to applicable end product restrictions	Monthly consumption for experimental use without specific authorization
Natural rubber.....	In the manufacture only of products listed in Table B below for which natural rubber is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPA-4488.	25 pounds.
Natural rubber latex.....	In the manufacture only of products specifically designated in Table B below, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPA-4562.	None.
Butyl.....	In the manufacture only of products listed in Table B below for which Butyl is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPA-4488.	200 pounds.

Experimentation need not be confined to permitted uses. Materials in the amounts indicated may be diverted for experimentation from inventory or from purchase for manufacturing operations. If the manufacturer does not have an inventory of natural rubber, application for permission to purchase should be made on Form CPA-4488. Such applications must definitely state that the natural rubber or Butyl is to be used for experimentation and name the end product on which the experiment is to be made. To purchase Butyl for experimental purposes, make application by letter to Sales Division, Office of Rubber Reserve, Reconstruction Finance Corporation, Washington 25, D. C.

For permission to consume materials for experimental use, in excess of the amounts authorized, file an appeal Form CPA-2242, in accordance with § 4600.14 of this order.

TABLE B—PERMITTED PRODUCTS

For general permitted uses of raw materials in the manufacture of products, see Table A above. Quarterly consumption of natural rubber, natural rubber latex or Butyl, will be permitted on the basis of uses shown in this Appendix, but only to the extent that material is available.

Explanation of the third, fourth and fifth columns in Table B, and the symbols used: The third column shows to what extent natural rubber authorized on Form CPA-4488

NOTE.—The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

APPENDIX I—GENERAL PERMITTED USES OF RAW MATERIALS AND PERMITTED PRODUCTS

Appendix I to Rubber Order R-1 establishes general permitted uses for natural rubber, natural rubber latex and Butyl, and also lists the products which are permitted to be made from these raw materials.

Table A below lists the general permitted uses for each of these materials and the monthly consumption, if any, permitted for experimental use without prior authorization.

Table B below deals with the specific products in which the use of these raw materials is permitted under the general provisions in Table A. It refers, for certain products, to the applicable manufacturing regulations set out in Appendix II to the Rubber Order (printed separately), specifies the percentage of natural rubber, natural rubber latex, and Butyl, if any, which may be used in specified products; and for many of the products in the Table special restrictions or provisions are provided.

may be used in the manufacture of particular products. The fourth column shows to what extent natural rubber latex authorized on Form CPA-4562 may be used in the manufacture of particular products. The fifth column shows to what extent Butyl authorized on Form CPA-4488 may be used in the manufacture of particular products.

The natural rubber, natural rubber latex or Butyl column is left blank when applicable regulations in Appendix II or special restrictions in the last column of Appendix I limit the use of these materials.

"O" indicates that the use of the material is prohibited, subject to any special restrictions or provisions applicable to the particular products.

"X" indicates that the material may be consumed in the minimum quantities required by a manufacturer who has received authorization to accept delivery on Form CPA-4488 subject to any special restrictions or provisions applicable to the particular product.

Percentage figures indicate maximum percent to total volume of compound, unless otherwise specified.

The rubber hydrocarbon (designated RHC in this Table) is the sum total of natural rubber, synthetic rubber and the rubber hydrocarbon value of reclaimed rubber. The rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference or indirect" method.

TABLE B--PERMITTED PRODUCTS--Continued

(1) Code No	(2) Product	(3) Percent natural rubber	(4) Percent natural rubber latex	(5) Butyl	(6) Special restrictions or provisions
1A	Pneumatic tires:				
1A	Airplane tires.....				See List 8 App II
1B	Bicycle tires.....				Do
1C	Truck and bus tires.....				Do
1D	All other tires.....				Do
2	Solid tires:				
2A	Airplane tires.....				Do
2B	Truck, trailer and support rollers pressed on.....				Do
2C	Truck and bus.....				Do
2D	Other.....				Do
3	Tire tubes:				
3A	Airplane.....				Do
3B	Bicycle (including valves)				Do
3C	Truck and bus.....				Do
3D	All other.....				Do
4	Tire tube valves and curing bags:				Do
4A	Tire tube valves (including repair valves)				Do
4B	Tire tube valves inside washers				Do
4C	Curing bags				Do
5	Tire flaps.....				Do
5A	Tire retreading materials:				Do
5B	Airbags full circle for retreading				Do
5C	Other.....				Do
6	Tire and tube repair materials:				Do
6A	Cements for use in retreading of tires and tubes				Do
6B	Adhesives.....				Do
6C	Adhesives for repair materials				Do
6D	Tire patches and retiners				Do
6E	Tube patches.....				Do
6F	Tank blocks, treaders and band tracks.....				Do
6G	Beltting.....				Do
7	Conveyer and elevator belting:				Do
7A	Conveyer and elevator belting and pulley lagging therefor.....				Do
7B	Hot material belts.....				Do
8	Mechanical belting and related products:				Do
8A	Belt splices and repair materials.....				Do
8B	Conveyer skirting or skirtboard rubber				Do
8C	Clear machine options				Do
8D	Concentrator belts.....				Do
8E	Belts for animals.....				Do
8F	Heat belts.....				Do
8G	High heater belts.....				Do
8H	Paper machine options.....				Do
8I	Pistol meter and letter encoder feed belts				Do
8J	Rubber scrapers for conveyer belts.....				Do
8K	Screen diaphragms for paper making equipment				Do
8L	Special molded conveyer belts				Do
8M	Street sweeper belts				Do
8N	Transmission belting:				Do
8O	Flat transmission belting				Do
9	V belts				Do
10	Hoses and tubing				Do
10A	Automotive and aircraft hoses:				Do

TABLE B--PERMITTED PRODUCTS--Continued

[illegible]

TABLE B—PERMITTED PRODUCTS—Continued

[illegible]

TABLE B--PERMITTED PRODUCTS--Continued

[illegible]

[illegible]

TABLE B—PERMITTED PRODUCTS—Continued

[illegible]

TABLE B--PERMITTED PRODUCTS--Continued

[illegible]

TABLE B—PERMITTED PRODUCTS—Continued

(1) Code No.	(2) Product	(3) Percent natural rubber	(4) Percent natural rubber latex	(5) Butyl	(6) Special restrictions or provisions
22C	Cushioning and sponge: Curled animal hair.....	X		0	Natural rubber latex not exceeding 25 percent of average monthly consumption of RHO during year ending March 31, 1941, permitted monthly.
	Latex foam products.....			0	Natural rubber latex not exceeding 29 percent RHO permitted.
	Sponge for all purposes not elsewhere listed.....		0	X	A minimum of 33 1/4 percent of the total monthly consumption of natural rubber and synthetic rubber shall be synthetic rubber.
22D	Safety respiratory equipment: Breathing apparatus, safety masks and respirators including parts.....	X	X	X	Take except types other than this permitted.
22E	Miscellaneous products: Radio, radar and fire-control instruments.....	X	0	X	
	Parachute bands and ventilating rings.....	X	0	0	
	Chlorinated and cyclized rubber for packaging.....	X	0	0	Do.
	Chlorinated natural rubber and cyclized rubber for protective coatings, including paints.....		0	0	Natural rubber not exceeding 15 percent of the average monthly consumption of RHO during the year ending March 31, 1941, permitted monthly.
	Chlorinated natural rubber for the manufacture of cement for any purpose.....		0	0	A minimum of 33 1/4 percent of the total monthly consumption of natural rubber and synthetic rubber shall be synthetic rubber.
	Protective coatings including paints and inks.....		0	X	Natural rubber not exceeding 15 percent of the average monthly consumption of RHO during year ending March 31, 1941 permitted monthly.
22F	Fly paper.....	5	0	X	
	Pressure sensitive tape: High temperature masking tape.....	X	0	X	
	Noncorrosive electric tape.....	X	0	X	
	Other pressure sensitive tape.....		0	X	A minimum of 33 1/4 percent of the total monthly consumption of natural rubber and synthetic rubber shall be synthetic rubber.
22G	Stationers supplies: Erasers.....	X	0	0	Do.
	Pen sacs.....		0	0	
	Rubber bands.....		0	0	Do.
22H	Rubber thread.....	60	0	0	Do.
22I	Rubber tape and elastic bands for clothing.....		0	X	
22K	Toys: Molded and blown dolls and parts.....	37	0	X	
	Sculptured bounce toys.....	35	0	X	

(Sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9246, 7 F. R. 7379, as amended by E. O. 9475, 9 F. R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F. R. 64)

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22045; Filed, Dec. 31, 1946;
11:19 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 8, as Amended
Dec. 31, 1946]

PREFABRICATED HOUSING UNDER THE VHP

The following amended direction is issued pursuant to Priorities Regulation 33:

No. 1—3

(a) *What this regulation does.* This direction explains the new restrictions on prefabricators' and dealers' (wholesale and retail) sales of prefabricated houses, sections, panels, or packages. The sales restrictions in this direction used to apply only to items produced with priorities assistance under this direction. Restrictions on the sale of items not produced under this direction used to be in Schedule B to PR 33. The present sales restrictions of this direction now apply to all such items (as defined below) regardless of whether or not they were produced with priorities assistance under this direction.

Definitions

(b) *Definitions.* For the purpose of this direction:

(1) "Prefabricator" means a person engaged in the business of manufacturing prefabricated houses, sections, or panels.

(2) "Prefabricated house" means a house of which at least the exterior walls are formed by the assembly of prefabricated sections or panels as defined below. The term "prefabricated house" does not include house trailers.

(3) "Prefabricated section" means a house section which is manufactured in a factory, is transported without being taken apart, and

is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations.

(4) "Prefabricated panel" means a floor, wall, partition, ceiling, roof, or truss panel which is manufactured in a factory and is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations. Prefabricated panels may, but need not, incorporate such items as window and door frames, sash, doors, builders' hardware, wiring, piping, etc.

(5) "Prefabricated package" means the aggregation of prefabricated sections or panels and building materials and equipment shipped, in a lot, by a prefabricator.

(6) The terms "prefabricated panel" and "prefabricated section" do not include: (i) fabricated structural steel such as columns or beams, (ii) millwork as defined in Order L-353, (iii) items of furniture and equipment not to be permanently attached to and made a part of a house, or (iv) building materials cut to size and shape for assembly at the building site (unless shipped by the prefabricator as part of the prefabricated package he supplies).

(7) Any prefabricated house, section, panel, or package containing materials obtained with priorities assistance given, on Forms CPA-4415 or NHA-14-53, under this direction or under HEPR 6 is "produced" or "manufactured" under this direction.

Priorities Assistance for Prefabricators

(c) *Prefabricators' applications for priorities assistance.* After December 24, 1946, no priorities assistance will be given to prefabricators, under this direction (or under HEPR 6), for the manufacture of prefabricated houses, sections, panels, and packages. However, authorizations given before that date remain valid for the periods covered by them.

(d) *Prefabricators' use of priorities assistance.* Prefabricators to whom priorities assistance has been given may use that assistance and material obtained with the assistance, only in accordance with applicable Civilian Production Administration regulations (including Orders L-353 and L-359 and the provisions of paragraph (c) of Schedule A to PR 33). In addition, any conditions and limitations placed under HEPR 6 must be complied with.

Sales Provisions

(e) *Unerected sales.* In selling unerected prefabricated houses, sections, panels, or packages, a prefabricator or a dealer must accept and fill rated orders in preference to unrated orders in accordance with the rules of PR 1. This applies regardless of whether or not the items were produced under this direction.

(f) *Erected sales.* In selling erected prefabricated houses, sections, panels, or packages, a prefabricator or dealer must comply with the rules of PR 33, HEPR 5 or the Housing Permit Regulation (whichever is applicable). This applies regardless of whether or not the items were produced under this direction.

(g) *Applicability of VHP 1.* Erection of a prefabricated house, section, panel, or package is "construction" under Order VHP 1. Consequently, such construction must be authorized unless any of the exemptions in VHP 1 are applicable. A person wishing to erect, for his own use or for sale, may apply under the Housing Permit Regulation for authorization by the Federal Housing Ad-

ministration (or, in appropriate cases, by the Federal Public Housing Authority).

(h) Extending customers' HH ratings—(1) Extension by prefabricators prohibited. A prefabricator must not extend an HH rating which he receives from a customer.

(2) Extension by dealers permitted. A dealer who receives an HH or HHH rated order from a customer for a prefabricated house, section, panel, or package may extend the rating to get the item for sale to that customer or to replace an item sold out of inventory to that customer on the rated order.

Disposal of Materials

(l) Disposal of materials. In accordance with Priorities Regulation 1, materials obtained by a prefabricator with priorities assistance under this direction or HEPR 6 may be used by him only for the purposes for which the assistance was given. If he is unable to use the materials for those purposes, he may use or dispose of them only as follows:

(1) By "special sale" under Priorities Regulation 13; or

(2) By such other use as may be authorized in writing by the National Housing Agency.

Miscellaneous Provisions

(j) Technical provision. A reference to Direction 8 to PR 33 in any CPA regulation or order shall, where appropriate, be deemed a reference to HEPR 6 also.

(k) Communications and appeals. Communications regarding the provisions of this direction, and appeals from these provisions, should be sent to the National Housing Agency, Washington 25, D. C., Ref: Dir. 8 to PR 33. An appeal should be made by letter, in triplicate, stating the particular provision appealed from and the full grounds for the appeal.

(l) Violations. Any person who wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(m) [Deleted Dec. 31, 1946.]

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22105; Filed, Dec. 31, 1946;
11:20 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1061]

CHARLES POSTERNACK

Charles Posternack resides at 230 South 45th Street, Philadelphia, Pa., and is the owner of the commercial property located at 814 Walnut Street, Philadelphia, Pa. On or about August 20, 1946, he began alteration construction on his commercial building at 814 Walnut Street, Philadelphia, Pa., at an estimated cost in excess of \$1,000 without authorization of the Civilian Production Administration. The carrying on of this construction, without authorization, at an estimated cost in excess of \$1,000 after being informed of the restrictions of Vet-

erans' Housing Program Order No. 1 constituted a willful violation of that order. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1061 Suspension Order No. S-1061. (a) Neither Charles Posternack, his successors or assigns, nor any other person shall do any further construction on the premises located at 814 Walnut Street, Philadelphia, Pa., including completing, putting up, or the altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration or the Federal Housing Administration.

(b) Charles Posternack shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Charles Posternack from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22108; Filed, Dec. 31, 1946;
11:21 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Schedule B as Amended
Dec. 31, 1946]

HOW DISTRIBUTORS OF BUILDING MATERIALS HANDLE RATINGS

PURPOSE AND SCOPE OF SCHEDULE B

Par.

(a) What this schedule does.

DEFINITIONS

(b) Definitions.

EXTENSION OF RATINGS

(c) What "extension" of ratings means.

(d) HHH and HH ratings are not extendible by manufacturers.

(e) When HHH and HH ratings are extendible.

(f) Special rule for "certified-HH" ratings.

SET-ASIDE PROVISIONS

(g)-(k) [Revoked Dec. 31, 1946.]

"CEILING" PROVISIONS

(l) Purpose of "ceiling"

(m) Operation of "ceiling"

(n) Ceilings for materials for which HHH and HH ratings are not extendible.

(o) Ceilings for materials for which HHH and HH ratings are extendible.

APPORTIONMENT OF SALES BETWEEN USERS AND OTHERS

(p) Minimum percentage for users.

(q) Special rule for nails.

(r) Exclusion of certain quantities in figuring ceilings.

(s) Inclusion of direct shipments in figuring ceilings.

OTHER SPECIAL PROVISIONS

Par.

(t) Rated orders must be accepted.

(u) Manufacturer's scheduling for HHH, HH, and CC ratings.

(v) Materials for which manufacturers need not accept any HHH or HH rated orders.

(w) Refusal of outside-area orders.

(x) Applicability of this schedule to AAA rated orders.

RECORDS

(y) Records.

MISCELLANEOUS PROVISIONS

(z) Communications.

(aa) [Revoked Dec. 31, 1946.]

PURPOSES AND SCOPE OF SCHEDULE B

§ 944.54b Schedule B to Priorities Regulation 33—(a) What this schedule does. This Schedule B explains special rules for the handling of rated orders (AAA, MM, HHH; HH and CC) by people who sell most of the building materials listed in Schedule A to Priorities Regulation 33. (Schedule A lists the building materials for which HH ratings can be used by builders and other authorized persons and tells how they use these ratings.)

This amendment of Schedule B becomes effective as of January 1, 1947. Until that date, the provisions of Schedule B, as amended November 12, 1946, remain effective.

This means that, beginning January 1, 1947, no further set-asides need be made and that items previously set aside become released from the holding requirements. The materials previously listed in the set-aside table remain subject to the ceiling provisions, as amended (see paragraphs (l) (m) (n), and (o) below)

When any material is mentioned by name in this schedule, the material is the same as the corresponding item on Schedule A, unless it is specifically made less inclusive than the Schedule A item. In no case does it include anything not included in the Schedule A item.

The provisions of this Schedule B apply to HHH ratings since they are to be treated exactly the same as HH ratings except in one respect—the HHH rating has a higher priority than the HH rating. The provisions of this Schedule B apply to "certified-HH" ratings only where specifically mentioned below. This is because there are special rules for certified-HH ratings, as explained in Direction 11 to PR-33.

This schedule does not apply to the "Lumber Materials" group listed on Schedule A because they are covered by other orders (Orders L-358 and L-359)

This Schedule also does not apply to deliveries of any "prefabricated houses, sections, and panels." They are covered by Direction 8 to PR 33.

DEFINITIONS

(b) Definitions. For the purposes of this schedule:

(1) "Distributor" means any of the following:

(i) A person (including, but not limited to, wholesalers, jobbers, dealers) who sells to users.

(ii) A retail outlet (including, but not limited to, the following: mail order houses, department stores, hardware stores, appliance stores, appliance sales departments of public utility companies, etc.)

(iii) A manufacturer's factory branch sales offices which sell to users.

(iv) A manufacturer (to the extent that he sells directly to users and not through factory branch sales offices)

(2) "User" means any person who buys for use instead of for resale. This includes, but is not limited to, the following:

(i) A builder, prefabricator, or house trailer manufacturer.

(ii) A person buying from a retail outlet.

(iii) A person buying for a structure, property, or installation owned, occupied, or managed by him.

(iv) A person who installs what he sells (such as a plumbing contractor, wiring contractor, etc.) The performance of such service as the mere connecting of a stove to an existing gas line in a structure does not constitute "installing" for the purpose of this definition.

EXTENSION OF RATINGS

(c) What "extension" of ratings means. Some of the new provisions of this schedule involve the matter of "extension" of ratings. This matter is explained in Priorities Regulation 3, but a brief generalized explanation is as follows (this is merely explanatory and its application to particular materials depends on the various provisions in the schedule)

In general, people may place rated orders in one of two ways (the distinction between the two is important)

(1) *By "application."* When a rating is used by a person to whom it was originally issued (or by a person he has authorized to use it) he is "applying" it to his supplier.

(2) *By "extension."* When a person receives a rated order from a customer and passes the rating on to his supplier, he is "extending" the rating. The cases in which HHH and HH ratings may be extended are explained below.

(d) *HHH and HH ratings are not extendible by manufacturers.* HHH and HH ratings are never extendible by manufacturers (as such)

(e) *When HHH and HH ratings are extendible.* In general, distributors and other suppliers may not extend HHH and HH ratings. However, they may extend such ratings for certain materials, subject to certain conditions. In these cases, the ratings may be extended by them to get the material to be delivered on the rated orders involved. The procedure for extending ratings is explained in Priorities Regulation 3.

(1) *Limited extendibility.* For the following materials,¹ HHH and HH ratings may be extended to suppliers except manufacturers (as such)

Nails.
Pipe, steel and wrought iron.
Pipe fittings (cast and malleable).
Pipe nipples, steel and wrought iron.
Sheet, copper.
Sheet, galvanized steel.
Tubing, copper.
Tubing (copper) fittings.

(2) *Complete extendibility.* For the following materials,¹ HHH and HH ratings may be extended to suppliers, including manufacturers (as such)

Brick, common and face, clay.
Brick, sand lime.
Concrete block and brick.
Tile, structural clay.

(f) *Special rule for certified-HH ratings.* "Certified-HH" ratings may be issued, under Direction 11 to PR 33, for the following materials, for use in FPHA projects: building board, cast iron soil pipe, and gypsum board. A "certified-HH" rating is extendible to suppliers, including manufacturers.

SET-ASIDE PROVISIONS

(g)-(k) [Revoked Dec. 31, 1946.]

"CEILING" PROVISIONS

(1) *Purpose of "ceiling."* In general, rated orders must be accepted and filled in accordance with the basic priorities rules of Priorities Regulation 1. One of those rules is that rated orders must be accepted and filled in preference to unrated or lower rated orders. The "ceiling" provisions of this Schedule modify that basic rule by putting a limit on the amount of his supply a person has to use in filling rated orders.

It is not necessary to hold any supply in expectation of receiving rated orders.

(m) *Operation of "ceiling."* A person who is required to fill rated orders for a Schedule A material does not have to use more than his "ceiling" amount to fill such orders. (AAA rated orders are an exception to this rule. While amounts delivered on AAA orders may be charged against the ceiling, a person may not refuse to fill a AAA rated order merely on the ground that it will exceed his ceiling.)

The distributor may set his own unit of measure in figuring the ceiling. Ordinarily, the customary way of billing the material in the industry should be used, such as units on things like stoves, pounds for insulated copper wire, square feet for screen cloth, etc.

The figuring and application of ceilings depend on whether or not HHH and HH ratings are extendible for the par-

¹ When any material is mentioned by name in this schedule, the material is the same as the corresponding item on Schedule A, unless it is specifically made less inclusive than the Schedule A item. In no case does it include anything not included in the Schedule A item.

ticular material involved. The following paragraphs (n) and (o) explain this in more detail.

(n) *Ceilings for materials for which HHH and HH ratings are not extendible.* In the case of materials for which HHH and HH ratings are not extendible, the ceiling applies to the distributor only. The ceiling is 75% of the distributor's deliveries to users during the month.

(o) *Ceilings for materials for which HHH and HH ratings are extendible.* In the case of materials for which HHH and HH ratings are extendible, the figuring and application of ceilings depend on whether or not these ratings are extendible to the manufacturer.

(1) *Percentage ceiling for "complete-extendibility" materials.* In the case of a material for which HHH and HH ratings are extendible to a manufacturer, the percentage ceiling applies to him. His ceiling is 75% of the total amount scheduled for production during the month. This applies to the materials listed in paragraph (e) (2).

(2) *Percentage ceiling for "limited-extendibility" materials.* In the case of a material for which HHH and HH ratings are extendible to any supplier except a manufacturer (as such) the percentage ceiling applies to the supplier who gets his supply from the manufacturer (as such). The supplier's ceiling is 75% of the total quantity delivered by him during the month. This applies to the materials listed in paragraph (e) (1).

(3) *General ceiling for other suppliers of "extendibility" materials.* In the case of a material for which HHH and HH ratings are extendible, the ceiling for any distributor or other supplier who extends the rating is generally the amount he gets by extending those ratings. He must redeliver these (or equivalent) amounts on the orders bearing the ratings he extended. Generally, the amounts he gets without extending ratings (i. e., "free supply") need not be used to fill rated orders.

APPORTIONMENT OF SALES BETWEEN USERS AND OTHERS

(p) *Minimum percentage for users.* Where a person normally sells both to users and to persons buying for resale, he must continue to sell to both those classes of customers. The portion he sells to users must be at least as large, percentage-wise, as the portion he has usually sold to that class of customers in the past. He may sell more than that percentage to users and should do so when it will help the Veterans' Emergency Housing Program. While this percentage requirement is an exception from the rules of Priorities Regulation 1, the other rules of that regulation apply to his handling of rated orders from users.

(q) *Special rule for nails.* The former special rule for apportioning sales of

RULES AND REGULATIONS

nails between users and persons buying for resale is revoked. Instead, the apportioning rule of paragraph (p) now applies to nails,¹ as well as to the other materials in Schedule A to PR 33.

(r) Exclusion of certain quantities in figuring ceilings. In the case of materials for which a distributor's ceiling is based on deliveries to users, his ceiling figuring does not have to include amounts delivered to persons who are not users if those deliveries are made in conformity with paragraph (p) above. (This rule does not apply to any materials for which HHH and HH ratings are extendible, as listed in paragraph (e) above.)

For instance, where a manufacturer of sinks makes some deliveries directly to users, those deliveries are subject to this Schedule and he is a "distributor" with respect to them. However, the ceiling provisions of this Schedule do not apply to the rest of his deliveries, if they are not made to users.

Also, where a person delivers to a distributor, the ceiling provisions do not apply to the person making the delivery for those quantities but do apply to the person who receives them. This is an example of the rule. If a distributor delivers 100 sinks during a month, he would normally be required to deliver up to 75 (75% of 100) on rated orders, if received. If, however, he legitimately delivers 40 of the 100 to another distributor, then he need apply the ceiling provisions to 60 sinks only and deliver up to 45 (which is 75% of 60) on rated orders, if received.

However, in these cases he must make a complete record of the transaction and adjust the records which he is required to keep under paragraph (y) accordingly.

(s) Inclusion of direct shipments in figuring ceilings. A distributor must include any direct shipments which he arranges to have made by his supplier directly to his customer for his own account. These kinds of shipments count against the distributor's ceiling, and the distributor must handle these shipments just as if the material had actually been delivered from his stock. It is the distributor's job to make arrangements with the manufacturer so that these shipments the manufacturer makes are in accordance with those that the distributor can make under this schedule.

OTHER SPECIAL PROVISIONS

(t) *Rated orders must be accepted.* A person required to accept rated orders under this schedule must not turn down a rated order merely because he does not have the material ordered in stock or because it would exceed his ceiling. He must accept the order, and keep it on hand to fill it as soon as possible (subject to the ceiling provisions) and he must

tell his customer how soon he expects to be able to fill it.

(u) *Manufacturer's scheduling for HHH, HH, and CC ratings.* When a manufacturer receives, and is required to accept, any rated order, including an HHH, HH or CC rated order (by extension or by application) he must schedule it as required by Priorities Regulation 1.

(v) *Materials for which manufacturers need not accept any HHH or HH rated orders.* (1) For the following materials¹, HHH and HH rated orders may not be served on a manufacturer and have no effect on him (see paragraph (v) (3) below)

Cable
Fabricated reinforcing rod and mesh
Nails
Pipe, steel and wrought iron
Pipe, fittings (cast and malleable)
Pipe nipples, steel and wrought iron
Sheet, copper
Sheet, galvanized steel
Stucco mesh
Tubing, copper

These items have been marked with an asterisk in Schedule A to PR 33.

(2) For any of the following materials,¹ a manufacturer who sells to dealers directly (and not through factory branch sales offices) need not accept HHH and HH rated orders from a dealer even if the dealer has been authorized to use such a rating as a subcontractor:

Asphalt tile floor covering
Boilers, low pressure
Controls, temperature and combustion
Furnaces, floor, wall
Furnaces, warm air
Oil burners, domestic

(3) Subparagraphs (v) (1) and (v) (2) above do not mean, by implication, that HHH and HH rated orders may be served on manufacturers for the Schedule A materials not mentioned. This question is controlled by other rules (Priorities Regulation 1 and other applicable regulations) The special rules in those subparagraphs merely mean that, for the materials mentioned, HHH and HH rated orders may not be served on the manufacturers involved even if other applicable rules might otherwise permit that.

(w) *Refusal of outside-area orders.* A producer or other supplier may refuse to accept an HHH or HH rated order for any material listed below for delivery

¹ When any material is mentioned by name in this schedule, the material is the same as the corresponding item on Schedule A, unless it is specifically made less inclusive than the Schedule A item. In no case does it include anything not included in the Schedule A item.

by him in any area to which he has not delivered it in the five years preceding receipt of this order. A new producer or dealer may not apply this basis for refusal to accept such rated orders for delivery in his local trading area. This paragraph applies to the following materials¹:

Brick, common and face, clay.
Brick, sand lime.
Concrete block and brick.
Tile, structural, clay.

(x) *Applicability of this schedule to AAA rated orders.* This schedule does not limit acceptance of AAA rated orders or deliveries on AAA rated orders.

RECORDS

(y) *Records.* Each person entitled to apply a ceiling under this Schedule must keep records in such a way that, upon request of authorized government representatives, he can show for each material, how much he delivered with or without ratings, separately, after the material was put on Schedule A.

NOTE: Former undesignated subparagraph re required set-aside deleted Dec. 31, 1946.

These various records must be kept so that each rated purchase order placed with him can be easily identified. (These record requirements are in addition to those of Priorities Regulation 1.)

MISCELLANEOUS PROVISIONS

(z) *Communications.* All communications about this Schedule should be addressed to the Civilian Production Administration, Washington 25, D. C., Ref: Schedule B to PR 33.

(aa) [Revoked Dec. 31, 1946.]

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I—[Deleted Dec. 31, 1946.]

[F. R. Doc. 46-22023; Filed, Dec. 31, 1946; 11:19 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 13, as Amended Dec. 31, 1946]

PRODUCTION AND SALE OF HOUSE TRAILERS UNDER THE VETERANS' EMERGENCY HOUSING PROGRAM

The following amended direction is issued pursuant to Priorities Regulation 33:

(a) *What this direction does.* Under this direction, trailer manufacturers have been given priorities assistance for use in getting certain materials to be used in the manufacture and sale of certain kinds of house trailers. The assistance was given on Form NHA 14-44, for the latter part of 1946 only.

No further assistance is being given under this direction. Therefore, trailer manufacturers may not use the authorizations (Form NHA 14-44) to place orders after December 31, 1946. Unfilled HH-rated or certified orders placed before that date and calling for delivery by that date remain valid for delivery after that date.

The restrictions of this direction continue to apply to the manufacturers' use of materials obtained with priorities assistance and to the manufacturers' and dealers' sales of house trailers manufactured with such materials.

In general, the restrictions on the manufacture of house trailers are directed at channeling materials into moderate cost house trailers suitable for full-time housing use, and the sales restrictions are directed at channeling house trailers to purchasers needing them for full-time house use and at giving preference to veterans of World War II in buying house trailers for that purpose.

Definitions

(b) *Definitions.* For the purpose of this direction:

(1) "House trailer" means a mobile shelter made in a factory and designed as follows: (i) to be used as housing accommodations, (ii) to be towed on the public highway on an undercarriage attached to the shelter as a permanent integral part of it, and (iii) to be used or towed without dismantling or substantial change in external dimensions. Except where otherwise specified in this direction, this term includes a house trailer designed as above but sold in "dismounted" condition (i. e., without an undercarriage).

(2) "VEHP house trailer" means a house trailer manufactured with the use of priorities assistance under the Veterans' Emergency Housing Program.

(3) "Trailer manufacturer" means any person engaged in the business of manufacturing house trailers for sale.

(4) "Institutional purchaser" means an educational institution or public organization buying one or more house trailers to provide housing accommodations for veterans or for local emergency housing situations.

(5) [Deleted Dec. 31, 1946.]

(c)-(f) [Revoked Dec. 31, 1946.]

Restrictions on Manufacturers

(g) *Use of materials.* A trailer manufacturer may use materials obtained under this direction only for the manufacture of house trailers in moderate-cost models of the types for which priorities assistance was granted. A "moderate-cost model" is one which, under the maximum price regulations of the Office of Price Administration applicable on November 9, 1946, had a maximum retail price of not more than (1) \$2500 with at least minimum standard equipment included or (2) \$2500 minus the maximum retail list prices or other appropriate amounts for any minimum standard equipment not included.

"Retail price" means retail price f. o. b. plant, exclusive of the manufacturer's federal excise tax and exclusive of any state and local sales taxes customarily separately stated by the seller as being in addition to the selling price. "Minimum standard equipment" means the equipment and furnishings necessary to provide livable housing accommodations, including at least the following: (1) sleeping facilities for at least four persons, (2) heating unit, (3) interior-lighting equipment, (4) cooking unit, (5) refrigerator, (6) sink, (7) work table, and (8) storage facilities.

(h) *Identifying marking.* Any house trailer in which materials obtained under this direction have been used must be marked by the trailer manufacturer to identify it as a VEHP house trailer. This is to be done by adding the letters "VEHP" to the serial number stamped, stencilled, or otherwise placed on the house trailer.

(i) *Prohibited sales.* A trailer manufacturer must not sell a VEHP house trailer to any purchaser except to one of those specified in paragraph (j) below. In addition, he must not sell it even to such a purchaser if he knows, or has reason to believe, that it will be acquired or disposed of in violation of this direction.

(j) *Permitted sales.* A trailer manufacturer may sell VEHP house trailers to the following purchasers, under the conditions specified.

(1) He may sell a mounted or demounted house trailer to a dealer from whom he has received a copy of a dealer's statement as described in paragraph (k) below.

(2) He may sell a mounted or demounted house trailer to an institutional purchaser eligible under paragraph (p) below.

(3) He may sell a mounted house trailer to an individual purchaser who is eligible under paragraph (p) below, and who, in addition, establishes veterans' preference under paragraph (q) below.

(k) *Report of direct sales.* If a trailer manufacturer sells a VEHP house trailer to any purchaser except a dealer, he must promptly make out a report of the sale on Form NHA 14-45, in triplicate, and have the purchaser fill out the purchaser's statement section of the form. The trailer manufacturer should give one copy to the purchaser, keep one copy for his files, and, by the last day of the month, send the original to the National Housing Agency, Washington, D. C.

Restrictions on Dealers

(l) *Filing of "dealer's statement"* A dealer may not accept delivery of a VEHP house trailer from the trailer manufacturer unless he has filed a "Dealer's Statement" with the National Housing Agency, Washington 25, D. C., and, in addition, has sent a copy of that statement to the trailer manufacturer. A dealer who has filed a "Dealer's Statement" with the appropriate State or District Office of the Federal Housing Administration need not file again with the National Housing Agency. The "Dealer's Statement" shall be in writing and in substantially the following form:

DEALER'S STATEMENT

I certify to the Civilian Production Administration and to the National Housing Agency that I am a dealer in house trailers; that I wish to become eligible to receive house trailers manufactured under the Veterans' Emergency Housing Program; that I am familiar with the dealers' restrictions in Direction 13 to Priorities Regulation 33 (issued by the Civilian Production Administration), including the 60-day veterans' preference; and that I will comply with the terms of that direction in making sales of VEHP house trailers.

Name of Dealer's Firm

Address

By

Title of Authorized Official

Date

(m) *Prohibited disposition.* A dealer may not dispose of a new VEHP house trailer except by sale to any purchaser specified in paragraph (n) below. In addition, he must

not sell it even to such a purchaser if he knows or has reason to believe, that it will be acquired, or disposed of, in violation of this direction.

(n) *Permitted sales.* A dealer may sell a VEHP house trailer to any of the following purchasers under the conditions specified:

(1) *Demounted VEHP house trailers.* A dealer may sell a new demounted VEHP house trailer only to an institutional purchaser eligible under paragraph (p) below. Such a sale may be made at any time.

(2) *Mounted VEHP house trailers.* A dealer may sell a new mounted VEHP house trailer to an institutional purchaser eligible under paragraph (p) below. Such a sale may be made at any time. A dealer may also sell a new mounted VEHP house trailer to an individual purchaser who is eligible under paragraph (p) below. He may make such a sale at any time, if the eligible purchaser establishes veterans' preference under paragraph (q) below. However, he may sell it to any other eligible individual purchaser only after publicly offering it, for 60 days, for sale to purchasers with veterans' preference. In making a public offering, the dealer must keep the trailer on display and must conspicuously post, at his place of business, a sign stating that he has VEHP house trailers for sale to purchasers with veterans' preference. The sign shall be at least 9" x 12" in size.

(o) *Dealer's report of sale.* After each sale of a VEHP house trailer, the dealer shall promptly make out a report of the sale on Form NHA 14-45, in quadruplicate, and have the purchaser fill out the purchaser's section of the form. The dealer should give one copy to the purchaser and one copy to the manufacturer from whom he received the house trailer, keep one copy for his files, and by the last day of the month send the original statement to the National Housing Agency, Washington 25, D. C.

Eligible purchasers and veterans' preference

(p) *Eligible purchasers.* A purchaser who is not a dealer is eligible to buy a new VEHP house trailer under the following circumstances only:

(1) *Individual purchasers.* An individual may buy a mounted VEHP house trailer only if (i) he is buying it for his own full-time housing use and (ii) he certifies to that purpose in writing. Certification is to be made on the purchaser's statement section of the Form NHA 14-45 Report of Sale, which is to be provided by the seller. An individual in this class is entitled to preference over other individuals in the same class if he is eligible for, and establishes, veterans' preference under paragraph (q) below.

(2) *Institutional purchasers.* An institutional purchaser may buy one or more mounted or demounted VEHP house trailers only if (i) it is buying them to provide housing facilities for veterans or for local emergency housing situations, (ii) it certifies to that purpose on the purchaser's statement section of Form NHA 14-45, and (iii) it shows, to the seller, a written statement from the Federal Public Housing Authority, signed by an authorized official, stating that it considers the specified number of house trailers necessary and desirable for the purpose. (See paragraph (r) below about the applicability of VHP-1 to installation of demounted house trailers.)

(q) *Eligible purchasers with veterans' preference.* An individual purchaser is entitled to veterans' preference in buying a new VEHP house trailer under the following circumstances only: (1) he must be eligible under paragraph (p) above, (2) he must be in one of the classes on List 1 to this direction, (3) he must certify to that status in writing, and (4) he must show satisfactory documentary evidence of that status to the seller of the house trailer. Certification is to be made on the purchaser's statement

section of the Form NHA 14-15 Report of Sale, which is to be provided by the seller.

Other Provisions

(r) *Applicability of VHP-1.* The installation of a demounted house trailer on a foundation would be "construction" under Veterans' Housing Program Order 1, and, in general, requires authorization under that order. Application for such authorization should be made to the appropriate regional office of the Federal Public Housing Authority.

(s) *Communications and appeals.* Communications regarding the provisions of this direction, and appeals from those provisions, should be sent to the National Housing Agency, Washington 25, D. C. Ref: Dir 13 to PR 33. An appeal should be made by letter, in triplicate, stating the particular provision appealed from and the full grounds for the appeal.

(t) *Violations.* Any person who wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(u) *Reporting and record requirements approved.* The reporting and record requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22102; Filed, Dec. 31, 1946;
11:20 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Limitation Order L-359, as Amended Dec. 31, 1946]

LUMBER, HARDWOOD FLOORING AND MILLWORK

There is a shortage in the supply of lumber, hardwood flooring and millwork for defense, for private account and for export. Lumber, millwork and hardwood flooring are necessary for the construction and completion of housing accommodations in rural and urban areas and for the construction and repair of essential farm buildings, and special priorities for the deliveries of lumber, millwork, and hardwood flooring for these purposes are established in Schedule A to Priorities Regulation 33. This order is necessary and appropriate in the public interest, to promote the national defense and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

§ 3285.153 *Limitation Order L-359—*
(a) *What this order does.* This order provides that sawmills shall produce a percentage of their total production of softwood lumber in housing construction lumber. It applies to all sawmills and to lumber suppliers, manufacturers of millwork, hardwood flooring and house trailers, prefabricators and builders and other consumers who have been assigned priorities assistance. Rated orders must be accepted and filled as provided in

Priorities Regulation 1. However, a ceiling is provided for rated orders and the filling of unrated orders is permitted where the filling of such orders will not interfere with the filling of rated orders.

Definitions

(b) *Definitions for the purpose of this order*

(1) "Lumber" means any sawed lumber of any species, size, or grade, including rough, surfaced on one or more sides or edges, dressed and matched, ship-lapped, worked to pattern, or grooved for splines, except (i) shingles, slabs and round edge lumber; (ii) mine and railway cross ties nine feet or less in length; (iii) any segment of a log which has been produced so that it can be converted into veneer and which is sold and used for that purpose.

(2) "Housing construction lumber" means softwood lumber in the form of flooring, ceiling, siding, partition, casing, base, moulding stock, strips and boards, two-inch dimension, finish, shop and lath.

(3) "Hardwood flooring lumber" means Grades 2 and 3a common, of rough Oak, Hard Maple, Beech and Birch in 5/8, 4/4 and 5/4 thicknesses; and Grades 2 and 3 common, of rough Pecan in 5/8, 4/4 and 5/4 thicknesses.

(4) "Millwork" means only sash, windows, doors, interior and exterior frames for the foregoing, combination doors and garage doors; storm sash and storm doors; window, sash and door screens; porch columns, louvres and newels; standing interior trim for doors and windows and cased openings; crown, bed, cove, brick, screen, panel, band and cornice mouldings; quarter, half and full rounds; window and door steps; nosing; screen, sash, sill and frame stock; hook strip, corner and glass bead; chair, porch and hand rails; shelf cleat; panel strips; stools and aprons; lattice; drip cap and water table; back bank, cap trim, floor and base moulding; astragals, and baluster stock; mantels; built-in kitchen cabinets, medicine cases, china cabinets, ironing boards and linen closets.

(5) "Sawmill" means: (i) a person operating any mill or plant, stationary or portable, that produces lumber. The term includes a person who has logs manufactured into lumber by a sawmill, except a person who has less than 5,000 feet a quarter of his own logs sawed into lumber for his own use; (ii) a person operating any plant or concentration yard which processes (by drying, resawing, edging, grading, sorting, planing, or otherwise) 25 percent or more of the total volume of logs and lumber which it receives, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard, even though owned by a sawmill, engaged in either retail or wholesale business and even though it may process, for the servicing of special orders from consumers, more than 25 percent of the lumber it receives.

(6) "Distributor" means any person who buys and stocks millwork or hardwood flooring for resale and lumber for resale as lumber either at wholesale or

retail. The term "distributor" also includes any establishment owned or operated by a sawmill where lumber is sold at either wholesale or retail. A distributor who has two or more distinct and separate yards must for the purpose of this order, consider each yard a "distributor"

(7) "Cut-stock manufacturer" means a person who supplies from his production plant stock surfaced 2-sides, cut to approximate net sizes for the manufacture of doors, sash, check rail and plane rail windows, exterior frames and inside jambs. Cut-stock for doors, windows and sash consists of stock cut to approximate net sizes S2S and not further machined for stiles, rails, bars, muntins, meeting rails and facings for door stiles. Cut-stock for frame parts consists of stock cut to approximate net sizes S2S and not further machined for pulley stiles, blind and parting stops, outside casings, sills, drip cap and brick mould.

Sawmills

(c) *Sawmills—*(1) *Softwood lumber* Each sawmill shall manufacture at least 50% of its total monthly production of softwood lumber in the form of housing construction lumber. 85% of all 8/4 and thinner Douglas Fir shop and Western Pine shop including No. 3 clears must be sold only to millwork and cut-stock manufacturers or to persons who certify in writing they will sell to millwork or cut-stock manufacturers. A sawmill need not accept or fill rated orders for more than 50% of its total production of softwood lumber in any month. It may not fill MM rated orders for more than 5% of its total production of softwood lumber in any month.

(2) *Hardwood lumber.* Each sawmill shall sell only to hardwood flooring manufacturers, or to persons who certify in writing they will sell to hardwood flooring manufacturers, all the hardwood flooring lumber it produces.

(3) *Seasoning.* Where it is the customary practice of a sawmill to season lumber by air drying, and the lumber is properly piled for seasoning and carried in inventory for this purpose, such lumber will not be considered as produced until seasoned for the customary period.

(4) *Orders must be accepted or rejected promptly.* A sawmill must accept or reject rated orders in writing within 5 days of receipt. Reasons for rejection of a rated order must be stated.

Distributors

(d) *Distributors.* (1) A distributor is authorized to apply an HH rating on orders for delivery each quarter for housing construction lumber for the greater of the following amounts:

(i) an amount of housing construction lumber not exceeding 15% of the amount of footage in inventory of all softwood lumber as of January 1, 1942, or

(ii) two carloads of housing construction lumber at the rate of not more than one carload in any month of the quarter.

Distributors who apply a rating under (i) or (ii) above must use the certificate provided in paragraph (1) below.

(2) Instead of applying an HH rating as provided in paragraph (d) (1) above,

a distributor may in any quarter extend HH ratings for the amount of housing construction lumber which he will deliver or has delivered on HH rated orders accepted by him for delivery in that quarter. Rated orders placed with a distributor before October 1, 1946, may not be extended.

(3) A distributor must sell only to millwork or cut-stock manufacturers, or persons who certify that they will sell only to millwork or cut-stock manufacturers, 85% of all 8/4 and thinner Douglas Fir shop and Western Pine shop including No. 3 clears received in any quarter on unrated orders.

(4) A distributor need not use more than 50 percent of the softwood lumber received in any quarter on HH rated orders placed under paragraph (d) (1) (i) or (ii) to fill rated orders.

(5) A distributor need not use more than 50 percent of the lumber he receives in any quarter on unrated orders to fill rated orders.

(6) A distributor may not fill MM rated orders for more than 10 percent of his total receipts in any quarter of softwood lumber.

Millwork and Cut-Stock Manufacturers

(e) *Millwork and cut-stock manufacturers—(1) Extension of HH ratings.*

(i) A millwork or cut-stock manufacturer who receives HH rated orders may extend the HH rating to his supplier for the housing construction lumber or cut-stock to be incorporated or used in the millwork or cut-stock to be delivered on HH rated orders.

(ii) Where a millwork or cut-stock manufacturer has already delivered millwork or cut-stock on an HH rated order, he may extend the rating for the amount of housing construction lumber or cut-stock he used in the manufacture of the millwork or cut-stock delivered on the HH rated order.

(2) A millwork manufacturer need not accept or fill rated orders for millwork manufactured from lumber received on unrated orders.

Hardwood Flooring Manufacturers

(f) *Hardwood flooring manufacturers—(1) Extension of ratings.* (i) A hardwood flooring manufacturer who receives HH rated orders may extend the HH rating to his supplier for the hardwood flooring lumber to be incorporated or used in the hardwood flooring to be delivered on HH rated orders.

(ii) Where a hardwood flooring manufacturer has already delivered hardwood flooring on HH rated orders, he may extend the HH rating for the amount of hardwood flooring lumber he used in the manufacture of the hardwood flooring delivered on HH rated orders.

(2) A hardwood flooring manufacturer need not accept or fill rated orders for hardwood flooring manufactured from hardwood flooring lumber received on unrated orders.

Builders, Prefabricators and House Trailer Manufacturers

(g) *Builders, prefabricators and house trailer manufacturers.* A builder, prefabricator or house trailer manufacturer may place HH rated orders for a quantity

of housing construction lumber, millwork or hardwood flooring for which he has received priorities assistance. While Schedule A to Priorities Regulation 33 lists residential hardwood flooring only, HH ratings may be used by the above persons to obtain any suitable hardwood flooring.

Integrated Operations

(h) *Integrated operations.* A person having integrated operations which are subject to this order must treat each operation as a separate unit. Each unit must conform to all the applicable provisions of this order.

Certificate for Application of Rating by Distributors

(i) *Certificate for application of rating by distributors.* (1) A distributor applying an HH rating to an order for housing construction or hardwood flooring lumber under paragraph (d) (1) (i) or (ii) must endorse on or attach to the purchase order, sales ticket or other delivery orders, the following certificate:

VETERANS' EMERGENCY HOUSING PROGRAM

I certify to the U. S. Government that HH rating has been assigned for the materials covered by this order. The quantities covered by this order (together with the quantities called for by all other rated HH or certified orders placed with this or other suppliers for softwood lumber for delivery in the quarter specified in this order) do not exceed the amount permitted under Limitation Order L-359 with the provisions of which I am familiar.

Date _____ (Signature)
(Distributor).

(2) The certificate must be signed manually or as explained in Priorities Regulation 7. However, the standard form described in that regulation may not be used in place of certificate described in this order. The certification required by this order may not be waived under paragraph (f) of Priorities Regulation 7.

Miscellaneous

(j) The following provisions generally affect all persons operating under this order and should be carefully read:

(1) *Extension of ratings.* Rules for extendibility of the HH ratings are set out in paragraph (d), (e) and (f). The extendibility of all other ratings is governed by the rules of Priorities Regulation 3.

(2) *Treatment of certified orders.* Any person who before January 1, 1947, has received an order certified under Order L-359, dated October 18, 1946, must treat such order as an HH rated order. Any person authorized to place HH ratings under this order must reduce the quantity of lumber for which he placed the HH ratings by the quantity of his unfilled certified orders for lumber on January 1, 1947.

(3) *Applicability of regulations.* Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders. All other applicable regulations and orders of the Civilian Production Administration must be observed where not inconsistent with this order.

(4) *Violations.* Any person who willfully violates any provision of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(5) *Reports.* Every person shall file with the Civilian Production Administration, or any other federal agency designated by the Civilian Production Administration such reports and questionnaires as the Civilian Production Administration or such other agency may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(6) *Directives.* The Civilian Production Administration may issue directives requiring sawmills, millwork manufacturers, cut-stock manufacturers or hardwood flooring manufacturers or distributors to set aside specific quantities or percentages of production or shipment for persons placing rated orders. CPA may also allocate production or shipment to specified persons for specified uses, and may direct how and in what quantities deliveries to specified persons or uses may be made. It may also direct distribution to particular areas and may direct or prohibit the production by any persons of particular items of lumber, millwork, cut-stock or hardwood flooring. Directives according to their terms may take precedence over rated orders. They may be issued for the satisfaction of Veterans' Emergency Housing Program and other essential requirements, and in order to carry out more fully the purposes of this order.

(7) *Appeals.* An appeal from the provisions of this order should be made by mailing a letter in triplicate to the Civilian Production Administration, Forest Products Division, Washington 25, D. C., Ref.: L-359, or to the Civilian Production Administration, Portland, Oregon, Ref.: L-359, when made by persons in the states of Washington, Oregon, California, Idaho, Wyoming, Montana, Nevada, Utah, Colorado, Arizona, New Mexico, or South Dakota, stating the particular provision appealed from and stating fully the grounds for the appeal.

(8) *Communications.* All communications unless otherwise directed must be addressed as follows: Civilian Production Administration, Forest Products Division, Washington 25, D. C.

(9) *Effective date.* This amended version of Order L-359 shall become effective January 1, 1947. Order L-359 dated October 18, 1946, shall remain in effect until January 1, 1947.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21840; Filed, Dec. 31, 1946;
11:19 a. m.]

PART 3290—TEXTILE CLOTHING AND
LEATHER

[Supplementary Order M-317A, Direction 2]

TERMINATION OF SET-ASIDES FOR EXPORTS
(INCLUDING THOSE TO CANADA) AND CER-
TAIN CC RATINGS FOR COTTON FABRICS FOR
EXPORT

The following direction is issued pur-
suant to Supplementary Order M-317A.

(a) *Set-asides for export.* Effective Jan-
uary 1, 1947, the set-asides for cotton fabrics
in Order M-317A for export (other than to
Canada), and for export to Canada, are
ended. These set-asides are contained in
paragraph (g) and in Columns 9 and 10 of
the Distribution Tables. Beginning Janu-
ary 1, 1947, producers may deliver cotton
fabrics without regard to the above set-
asides.

(b) *Preference ratings for export.* All CC
preference ratings issued before January 1,
1947, for any cotton fabrics, for export to
Canada, or to any other foreign country (but
not the territories and possessions of the
United States), are revoked, effective Janu-
ary 1, 1947. Any person who has obtained any
of such cotton fabrics with a certificate pro-
vided for the above set-asides, or with a CC
rating assigned for export, may now use and
dispose of the fabric or products made from
the fabric, without regard to the provisions
of the certificate, or of Order M-317A, or the
purpose for which the rating was granted.

Issued this 31st day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-22104; Filed, Dec. 31, 1946;
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Chapter XXIII—War Assets
Administration

[Reg. 11]

PART 8311—PROCEEDS AND EXPENSES

Surplus Property Administration Regu-
lation 11, January 15, 1946, as amended
through May 14, 1946, entitled "Proceeds
and Expenses" (11 F. R. 636, 1990, 5355)
is hereby further revised and amended as
herein set forth as War Assets Adminis-
tration Regulation 11. Order 1, Decem-
ber 11, 1946 (11 F. R. 14288) Order 2,
August 16, 1946 (11 F. R. 9079) and Or-
der 3, November 27, 1946 (11 F. R. 14104)
under this part, shall continue in full
force and effect.

- Sec.
8311.1 Definitions.
8311.2 Scope.
8311.3 Proceeds to be covered into Treas-
ury.
8311.4 Net proceeds.
8311.5 Refunds and claims.
8311.6 Expenses.
8311.7 Estimate of expenses.
8311.8 Statement of expenses.
8311.9 Submission prior to commitment.
8311.10 Allocations and reimbursement.
8311.11 Regulations by agencies to be re-
ported to the Administrator.
8311.12 Records and reports.

AUTHORITY: §§ 8311.1 to 8311.12, inclusive,
issued under the Surplus Property Act of 1944,
as amended (58 Stat. 765, as amended; 50
U. S. C. App. Sup. 1611); Pub. Law 181, 79th
Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a,

1614b); E. O. 9689 (11 F. R. 1265); and Pub.
Law 521, 79th Cong. (60 Stat. 721).

§ 8311.1 *Definitions.*—(a) *Terms de-
fined in act.* Terms not defined in para-
graph (b) of this section which are
defined in the Surplus Property Act of
1944 shall in this part have the meaning
given to them in the act.

(b) *Other terms.* (1) "Disposition"
means disposal to a person other than a
Government agency.

(2) "Transfer" means disposal to a
Government agency.

§ 8311.2 *Scope.* This part shall apply
to transfers and dispositions within the
continental United States, its territories
and possessions.

§ 8311.3 *Proceeds to be covered into
Treasury.* Except as provided in sub-
sections (b) (c) and (d) of section 30
of the act, all proceeds from transfer or
disposition of property under the act (in-
cluding rents, interest, other proceeds)
shall be set aside in the special fund ac-
count in the Treasury authorized in the
First Deficiency Appropriations Act,
1946.¹ Sums deducted from gross pro-
ceeds under section 30 (b) of the act
to determine net proceeds shall be set
aside in such special fund account in the
Treasury. Under no circumstances may
a disposal agency designated by the Ad-
ministrator retain all or any part of the
proceeds from any transfer or disposition
under the act as reimbursement for the
cost or expense of care, handling, dis-
position, or transfer of surplus property.
Deposits or other payments forfeited by
the purchaser shall not be considered to
be proceeds from transfer or disposition
of surplus property; such forfeitures
shall not be set aside in a special fund
account in the Treasury but shall be cov-
ered into miscellaneous receipts of the
Treasury.

§ 8311.4 *Net proceeds.* (a) Where the
property transferred or disposed of was
acquired by the use of funds either not
appropriated from the general fund of
the Treasury or appropriated from the
general fund of the Treasury but by law
reimbursable from assessment, tax, or
other revenue or receipts, then upon the
request of the interested agency, the net
proceeds of the disposition or transfer
shall be credited to the reimbursable
fund or appropriation or paid to the
owning agency. As used herein, the term
"net proceeds of the disposition or
transfer" means the proceeds of the dis-
position or transfer minus all expenses
incurred for care and handling and dis-
position or transfer. On and after De-
cember 1, 1946, except as otherwise
provided herein, net proceeds shall be
computed by deducting twenty (20) per
cent from the gross proceeds of disposi-
tion or transfer when and as net proceeds
are paid to the owning agency by the
disposal agency and regardless of when
the sale was made or collection effected.
Unless otherwise provided herein such
deduction shall be deemed to represent
all expenses incurred by or for the ac-
count of the disposal agency for care,
handling, and disposition or transfer.

¹ Pub. Law 269, 79th Cong. (59 Stat. 632).

This percentage may be revised from
time to time by the Administrator to
reflect substantial changes in the over-all
cost of care, handling, and disposition of
surplus property.

(b) Substantial expenditures for capi-
tal improvements or demolition made or
incurred by a disposal agency in addition
to the normal expense of care, handling
and disposition or transfer shall be de-
ducted from the proceeds before com-
puting net proceeds. Percentage de-
ductions to determine net proceeds shall
be computed on the balance remaining
after deducting such substantial ex-
penditures.

(c) When sales are made on credit, the
percentage deductions shall be computed
by applying said percentage deductions
to such collections when and as paid to
the owning agency by the disposal
agency. All interest collected on credit
sales shall be deposited in the special
fund account in the Treasury.

(d) Rents received shall be deemed to
be proceeds, and on and after December
1, 1946, the twenty (20) percent deduc-
tion shall be made from each collection in
the manner specified in paragraph (a) of
this section.

(e) No part of the proceeds received by
a disposal agency from the sale of surplus
property as scrap or salvage or from
charges made on donations shall be
deemed to be net proceeds, and all such
proceeds shall be deposited in the special
fund account in the Treasury.

(f) With the approval of the Adminis-
trator in cases where the disposal agency
demonstrates that it has not incurred
any expenses or has incurred only negli-
gible expenses of care, handling, disposi-
tion, or transfer, the disposal agency may
make payment to, or credit the appro-
priate account of, an agency entitled to
such proceeds to the extent of the entire
proceeds without deduction.

(g) If it is impossible to determine the
applicable gross proceeds (by reason of
commingling of property or otherwise),
disposal agencies shall deposit the gross
proceeds into the special fund account in
the Treasury, as required in § 8311.3 of
this part.

(h) If practicable, before deposit in
the special fund account, disposal agen-
cies may, in the case of commingling,
make such payment or credit from the
proceeds of the transfers or dispositions
of similar property transferred or dis-
posed of directly after the receipt of the
surplus declaration.

§ 8311.5 *Refunds and claims.* Dis-
posal agencies may make refunds and
may make payments in settlement of
claims pursuant to and to the extent au-
thorized by section 30 (c) of the act.
Disposal agencies shall not withhold,
from deposit into the special fund ac-
count in the Treasury, any part of the
proceeds of dispositions for the purpose
of making such refunds and payments
to purchasers unless such amount is de-
posited in a special account with the
Treasurer of the United States. The
maximum balance to be maintained in
such special account shall be determined
and authorized by the Administrator;
and no deposit shall be made in such ac-

count which will bring the net balance of the account to an amount in excess of the determined maximum. In applying to the Administrator for such authorizations, the disposal agency concerned shall recommend the maximum balance which it deems necessary.

§ 8311.6 *Expenses.* (a) Government agencies shall apply to the Administrator as provided herein for allocation, payment, or reimbursement of funds to meet expenses of:

(1) Government agencies designated by the Administrator as disposal agencies pursuant to the act;

(2) Government agencies designated by the Administrator to render special services in connection with the disposal of surplus property in such amounts as shall be approved by the Bureau of the Budget; and

(3) Owning agencies in such amounts and upon such basis as shall be approved by the Bureau of the Budget, (i) for care and handling of surplus property from the date of the filing of a declaration of surplus covering such property filed with the Administrator or the disposal agency in accordance with applicable regulations of the Administrator or (ii) where declarations of surplus are deferred under established procedures approved by the Administrator and are made at approximately the time of disposal or removal, for care and handling of surplus property from the date of filing of notice by the owning agency to the disposal agency that surplus property is being held for disposal under such procedures.

(b) Expenses for which funds may be allocated, paid or reimbursed hereunder shall not include:

(1) Costs incident to filing a declaration of surplus with the disposal agency, including the cost of taking inventories, ascertaining and furnishing proper descriptions, and preparation of the declaration of surplus, except to the extent that such costs may be incurred by disposal agencies acting under procedures referred to in § 8311.6 (a) (3) of this part.

(2) Costs of separating personal property declared surplus from property of the owning agency and of making it available for inspection prior to declaration of surplus and the costs of placing the property in condition to insure its reasonable preservation and safety including decontamination and removal of explosives or other inherently dangerous materials as well as all other such costs.

(3) Costs of removing from real property such property of the owning agency which is not declared surplus to a disposal agency and the costs of placing the real property in a stand-by condition to insure its reasonable preservation and safety including decontamination and removal of explosives or other inherently hazardous objects as well as all other such costs.

(4) Costs incident to disposal of property by owning agencies including preparation of property for sale as scrap.

(5) Costs of removing surplus personal property on clearance of privately owned or operated plants or where the owning agency is otherwise obligated to

remove surplus property from private facilities.

§ 8311.7 *Estimate of expenses.* On or before the 15th day of the last month of each quarter, Government agencies shall submit to the Administrator for the succeeding quarter, an estimate of their expenses for which funds may be allocated, paid, or reimbursed hereunder, together with appropriate statements explaining the basis upon which the estimate was determined. Such expenses shall be presented in such detail and in such form as may be mutually agreed upon between the disposal agency and the owning agency. The Administrator requires that in the preparation of estimates of expenses all agencies will explore all available means to reduce expenditures to a minimum. Each agency in preparing estimates shall absorb indirect administrative or overhead expense to the fullest extent possible within the limits of existing appropriations or enabling statutes. Bases for computing expenses may be established by the Administrator with the approval of the Bureau of the Budget. Estimates of fiscal year expenses shall be submitted by Government agencies at such times as necessary to meet regular or special hearings before the Bureau of the Budget and the Congress.

§ 8311.8 *Statement of expenses.* On or before the 15th day of each month, disposal and service agencies financed by this Administration shall submit to the Administrator a statement of their expenditures and obligations for expenses made during the preceding month.

§ 8311.9 *Submission prior to commitment.* Wherever substantial expenses are involved, particularly contracts involving commitments in excess of \$100,000, Government agencies may request the Administrator for determination of the propriety of such expenses prior to committing themselves to such expenses.

§ 8311.10 *Allocations and reimbursement.* Within the terms and limits of its appropriations and subject to the approval of the Bureau of the Budget when such approval is required, the Administrator will, at the beginning of each quarter, allocate funds or authorize expenditures subject to reimbursement, as the case may be, in such amounts determined to be necessary for proper expenses to cover that quarter. Reimbursement will be made on the basis of vouchers submitted with such supporting detail as the Administrator may require. Government agencies shall make such reports as the Administrator may require and will cooperate with the Administrator in such studies as it may conduct to determine effective and economical use of the funds allocated or authorized for reimbursement.

§ 8311.11 *Regulations by agencies to be reported to the Administrator.* Each Government agency shall file with the Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

§ 8311.12 *Records and reports.* Government agencies shall prepare and

maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of this act. Reports shall be prepared and filed with the Administrator in such manner as may be specified by order issued under this part, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

This revision of this part shall be effective as of July 1, 1946, except as provided in § 8311.4 of this part.

ROBERT M. LITTLEJOHN,
Administrator.

DECEMBER 30, 1946.

[F. R. Doc. 46-22109; Filed, Dec. 31, 1946;
11:40 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

Subchapter A—Organization

PART 1—ESTABLISHMENT AND ORGANIZATION OF THE POST OFFICE DEPARTMENT

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Section 1.6 (11 F. R. 177A-116) is amended to read as follows:

§ 1.6 *Office of the Second Assistant Postmaster General—(a) Matters assigned.* The Second Assistant Postmaster General is charged with the responsibility and authority for administering all matters relating to the transportation of the domestic and international mails by means of railroads, electric and cable cars, steamships, steamboats, mail messengers, star routes and air mail routes, routing of such mails and distribution thereof, management of the international postal service, and supervision of the personnel, accounting, budgetary and other administrative services of the Bureau of Postal Transport.

(b) *Under Second Assistant Postmaster General.* The Under Second Assistant Postmaster General is charged with the coordination and general supervision of the activities of the bureau, aiding and assisting in the formulation of plans and policies, and acting as head of the bureau during absences of the Second Assistant Postmaster General.

(c) *Deputy Second Assistant Postmaster General in charge of Surface Postal Transport.* The Deputy Second Assistant Postmaster General in charge of Surface Postal Transport, aided by a Director of Transportation and a Director of the Divisions of Personnel and Facilities, is charged with the authorization and management of the transportation of mails on railroads, electric cars, steamboats on inland routes, steamship and steamboat routes between the United States and its territories; the authorization of side and transfer service required in the transportation of the mails; the determination of the necessity for the establishment of new or additional service, and the necessity for changing authorizations and car space to meet service needs in accordance with rates and regulations of the Interstate Commerce Commission; the general management of mail service on highway post

office routes and authorization for new routes or additional service on existing routes; the investigation of cases of delinquencies in service and determination as to fines or penalties to be imposed and the amounts thereof; the collaboration with the Interstate Commerce Commission for the purpose of issuing rules and regulations concerning transportation of the mails and fixing rates for the carriage of mail on railroads and electric cars; the distribution, routing and dispatch of all mails other than those postmasters are authorized to distribute and dispatch; the instruction of postmasters relative to the distribution, routing and dispatch of surface domestic mails; devising plans, specifications and changes in railway post office cars and highway post office vehicles; the collaboration with the Third Assistant Postmaster General in arranging for the routing and protection of valuable registered mail; passing upon requests for increases or decreases of field personnel assigned to railway post office lines, highway post office routes, transfer offices, administrative offices (except those assigned to air postal transport) terminal railway post offices and air mail field offices; the preparation of advertisements inviting proposals for transportation of mails on star routes including those operating in territories and possessions of the United States; the drafting of orders awarding such service and the preparation of contracts; issuing authorizations for mail messenger service; the investigation of delinquencies and determination as to fines and penalties against contractors; and all matters relating to the operation of these services; the preparation of regulations for the government of postal transport personnel assigned to railway post offices, highway post offices, terminal railway post offices, air mail field post offices and transfer offices, and in administrative offices (except those assigned to the air postal transport) handling all matters relating to the appointment, transfer, promotion, seniority, reduction, removal and all other personnel actions affecting such employees; supervision of preparation of schemes and schedules and awarding of contracts for printing of same, except air mail schedules and schemes; the distribution of pouches, sacks and locks used in the transportation of the mails, other than those used exclusively in the city and rural delivery service; the designation of mail bag depositories; the determination of proper travel allowances to be paid officers and employees of the Surface Postal Transport system; arranging for terminal railway post office quarters on the basis of investigations by the Chief Inspector, and preparation of leases relating thereto; arranging for incidental services such as telephones, heat, light and water and negotiating for such services; handling requisitions for supplies and equipment used by the Surface Postal Transport Service; issuing instructions regarding the admissibility to the mails of matter liable to damage the mails or injure the personnel, and regarding preparation and packing where admissible; determination of and issuing instructions

regarding the packing of other parcel post matter necessary to withstand ordinary handling in transit.

(1) *Field Divisions of Surface Postal Transport.* The Surface Postal Transport is divided into fifteen field divisions, each in charge of a general superintendent. The locations of the general superintendents' offices and the area under the jurisdiction of each is shown below:

Division, Jurisdictional Area and Office Location

First: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut; Post Office Building, Boston 9, Mass.

Second: New York, New Jersey, Delaware, The Eastern Shore of Maryland, Accomac and Northampton Counties, Virginia; General Post Office Building, New York 1, N. Y.

Third: District of Columbia, Maryland, North Carolina, Virginia and West Virginia (except the Peninsula of Maryland and Virginia); City Post Office Building, Washington 25, D. C.

Fourth: Alabama, Florida, Georgia, South Carolina, Tennessee, Puerto Rico and Virgin Islands; Federal Annex, Atlanta 4, Ga.

Fifth: Ohio, Indiana, and Kentucky; Post Office Annex, Cincinnati 35, Ohio.

Sixth: Illinois and Iowa; Main Post Office Building, Chicago 7, Ill.

Seventh: Kansas and Missouri; Post Office Building, St. Louis 3, Mo.

Eighth: Arizona, California, Guam, Hawaii, Nevada, Samoa, and Utah; Post Office Building, San Francisco 1, Calif.

Ninth: Lower Peninsula of Michigan, The Main line of the New York Central R. R. between New York, N. Y., and Chicago, Ill., and collateral lines; Post Office Building, Cleveland 1, Ohio.

Tenth: Northern Peninsula of Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin; Post Office Building, St. Paul 1, Minn.

Eleventh: New Mexico, Oklahoma, and Texas; Post Office Building, Fort Worth 1, Tex.

Twelfth: Arkansas, Louisiana and Mississippi; Post Office Building, New Orleans 6, La.

Thirteenth: Alaska, Idaho, Montana, Oregon, and Washington; Post Office Building, Seattle 11, Wash.

Fourteenth: Nebraska, Colorado, and Wyoming; Post Office Building, Omaha 1, Nebr.

Fifteenth: Pennsylvania and Main line of Erie R. R. west of Salamanca, N. Y., Main lines of the B. & O. R. R. and Pennsylvania R. R. System west of Pittsburgh, Pa., and collateral lines; Federal Building, Pittsburgh 19, Pa.

(2) *General superintendent.* The general superintendent shall supervise the operation of the service and clerks assigned to his division; see that the Postal Laws and Regulations and all departmental orders are complied with; prepare schemes of distribution and schedules for use as guides to the correct dispatch of the mails; prepare semi-monthly pay sheets and quarterly pay rolls showing the names of the employees and the amounts of salaries and travel allowances to be paid by checks issued by postmasters at division headquarters of the Railway Mail Service; make investigations ordered by the department, and of irregularities occurring within his territory, except losses, taking corrective action when necessary, and report upon all essential matters to the Deputy Second Assistant Postmaster General in charge of Surface Postal Transport.

(d) *Deputy Second Assistant Postmaster General in charge of Air Postal Transport.* The Deputy Second Assistant Postmaster General in charge of Air Postal Transport, aided by a Director of Domestic Air Postal Transport and a Director of Foreign Air Postal Transport, is charged with the authorization and management of the transportation of mails by aircraft; the preparation and issuance of orders authorizing, changing, modifying, altering and suspending service; the selection and control of schedules; the preparation and issuance of orders requiring air carriers to change, alter, modify, and operate additional schedules for the carriage of air mails; preparation and issuance of statements of official distances between points served for the carriage of air mails; the preparation and issuance of rules and regulations covering the transportation of mails by air carriers; the analysis of reports of non-performance of service, violation of rules and regulations, and irregularities in the handling of air mail; the investigation and the determination of fines and penalties to be assessed against air carriers for violation of rules and regulations, non-performance of service, and irregularities in the handling of air mails; the preparation and issuance of instructions to postmasters and field officers concerning the distribution and dispatch of domestic air mails as well as the distribution and dispatch of foreign air mails in accordance with the policies of the International Postal Transport, and the operation and conduct of the Air Postal Transport Service; the computation and maintenance of records of the volume of air mail dispatched by post offices and other postal units; the publication and distribution of official schedules, schemes, and pouching instructions for use in the distribution, routing, and dispatch of air mails; the examination of flight reports for operating irregularities; the determination of performance of service by carriers; the allocation of mails between competing carriers; the examination of inspection reports submitted by field officials; the administration and general management of field service personnel; the supervision of the distribution, routing, and dispatch of domestic air mails by personnel assigned to air mail fields; the requisitioning of and furnishing of supplies, equipment, furniture, and fixtures for field offices; the preparation and issuance of instructions governing the handling of air mail cachets and first-flight covers in the domestic service; the conducting of promotional air mail activities; the examination and analysis of proposals for new air mail routes; the determination of future needs for air mail service; the collaboration with the Solicitor in the preparation and presentation of the Department's cases in proceedings before the Civil Aeronautics Board; the determination of needs for new and additional quarters at airports for the distribution and handling of air mail; the preparation of plans and specifications for quarters at airports, and the negotiation of leases therefor; the preparation of commissions authorizing free air travel directed by the Post-

master General; and in general, the supervision and management of the operation of the Air Postal Transport Service, the facilities used and useful therefor and the services connected therewith. Attends meetings of and acts as the Post Office Department's voting member of the Air Coordinating Committee and assumes such research and analysis work as may devolve upon the Department's representative by reason of such membership.

(1) *Field divisions of Air Postal Transport.* Jurisdiction of the field operations of Air Postal Transport is assigned according to air mail routes. There are five regional offices, each with a superintendent in charge, having jurisdiction roughly as follows:

Region, Jurisdictional Area, and Office Location

Eastern: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Virginia, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, Transatlantic service; General Post Office Building, New York 1, N. Y.

Central: Illinois, Indiana, Iowa, Michigan, Minnesota, Wyoming, Nebraska, North Dakota, South Dakota, Wisconsin, Ohio; Main Post Office Building, Chicago 7, Ill.

Western: Arizona, California, Idaho, Washington, Hawaii, Montana, Oregon, Utah, Alaska, Nevada, Transpacific service; Post Office Building, San Francisco 1, Calif.

Southwestern: Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, Central and South American and Caribbean Area, jointly with Southeastern Region; Post Office Building, Fort Worth 1, Tex.

Southeastern: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Central and South American and Caribbean Area, jointly with Southwestern Region; Federal Annex, Atlanta 4, Ga.

(2) *Regional superintendents.* Regional Superintendents, Air Postal Transport, have general supervision over the Air Postal Transport in their areas. They are responsible for seeing that proper service is rendered by carriers; for coordinating air mail activities between post offices, air mail fields, and railway post offices; for making regular examinations of the distribution of air mail at post offices which are stop points on air mail routes and at air mail fields, and other special examinations as conditions require; for supervision of the preparation of air mail schemes and pouch orders and regulating the manner of distribution of air mail, both foreign and domestic, at air mail field offices; for issuing dispatch schedules for the routing of air mail and diverting air mail from its regular routing when necessary because of weather, operations, or volume requirements; for checking flight reports submitted by carriers; for assisting post offices in handling souvenir mail when air mail service is inaugurated at a new point; for surveying proposed new routes; for rendering reports of accidents to planes carrying mail; for determining the cause of mail failures and other irregularities on the part of the carriers and submitting reports thereof to the Deputy Second Assistant Postmaster General in charge of Air Postal Transport, Washington 25, D. C.,

with appropriate recommendation of action to be taken.

(e) *Deputy Second Assistant Postmaster General in charge of International Postal Transport.* The Deputy Second Assistant Postmaster General in charge of International Postal Transport, aided by a Director of International Postal Transport, is charged with the arrangement and management of details connected with the exchange of mails with foreign countries by surface and air, including the creation and promulgation of all matters of policy relating to the international mails, the classification, rates and other conditions applicable thereto, both by surface and air, and including the ocean transportation of mails from the United States and of other mails the United States is obligated to convey; the investigation and determination of fines and deductions against steamship companies for delinquencies in service or failures to safeguard the international mails while in their custody; negotiating with foreign postal administrations of postal conventions and agreements (except those relating to the money-order system) and the arrangement of all details in connection with the putting into effect of the provisions thereof; the preparation and issuance of instructions to postmasters in regard to the international postal service, (except those issued by the Air Postal Transport), including the compilation and editing of Part II of the Official Postal Guide; the consideration and preparation of replies to inquiries relating to the international postal service (except those intended for the Chief Inspector), the consideration and disposal of applications for the return to senders of, or change of address on, articles contained in the mails exchanged with foreign countries; the compilation of general statistics of international mails (except those to be compiled by the Air Postal Transport), the translation of letters and documents in foreign languages received by the Department (except those intended for the Third Assistant Postmaster General or Chief Inspector), the administrative determination of the balances due from or to foreign countries on account of intermediary maritime and land transit of international mails as well as the preparation of instructions to govern the collection of the transit statistics on which these balances are based; the management of all international registry, insurance, and collect-on-delivery services and all instructions and correspondence in relation thereto, except that assigned to the Third Assistant Postmaster General (Division of Money Orders) and that assigned to the Chief Inspector under sections 14, 809 and 811, the examination and authorization for payment of indemnity claims for international mail and of claims for refund of postage paid on international mails for which no service was rendered; the supervision of the sea post service, the Navy Mail Service, and international parcel-post service; the adjustment of air mail postage rates and air mail transportation rates to foreign countries; and preparation of general cor-

respondence with foreign postal administration, the postal service and the general public relating to the international postal service (except that assigned to the Third Assistant Postmaster General and the Chief Inspector)

(f) *Deputy Second Assistant Postmaster General in charge of Administrative Services.* (1) The Deputy Second Assistant Postmaster General in charge of Administrative Services, aided by a Director of Budget and Accounting, a Director of Systems and Procedures, a Director of Verification, and a Director of Records, is charged with verification of all authorizations and claims for the transportation of mail; passing upon claims of railroads for side and transfer service required of them in connection with the transportation of the mails; maintaining contact with and attending hearings before the Interstate Commerce Commission; examining evidence of the performance of those services and passing upon the application of the requirements and rates fixed by the Interstate Commerce Commission governing service on railroad and electric car routes, and by the Civil Aeronautics Board governing service on domestic and foreign air mail routes; preparing statements of accounts of the carriers for payment (except for mail messenger service) preparation of orders of fines and deductions in cases of delinquencies in service, maintenance of bookkeeping records which form the basis of administrative audit of all claims for payment for transportation of mails; the stating of accounts for payment and the preparation and certification of vouchers and journals authorizing payment to carriers for the transportation of mails; the verification of accounts covering miscellaneous expenditures of the Surface Postal Transport; the administrative audit of travel expense accounts for personnel of the bureau; performing coast studies; the review, analysis, revision, establishment and discontinuance of systems and procedures for the conduct of the work of the Postal Transport system, at Washington, D. C., and in the field in the interests of economy, practicability, and efficiency; recommendation of changes in existing laws and new legislation to meet the requirements of the service; preparation of estimates of appropriations necessary for the conduct of the Postal Transport system as a whole, and justifications in support thereof; presentation of such estimates to the Bureau of the Budget and Committees of Congress; the control of all financial obligations of the Postal Transport system; preparation of reports on budget and fiscal matters and furnishing such other data which might be required by the Bureau of the Budget and Committees of Congress.

(2) The duties of the Director of Records shall include surveying the adequacy of existing air mail routes; with the collaboration of the Air Postal Transport Service, the examination and analysis of proposals for new air mail routes and the planning of such routes; the maintaining of current analysis of air postal transportation rates; the making of appropriate recommendations

to the Second Assistant Postmaster General concerning routes and rates; the collaboration with the Solicitor in the preparation and presentation of the Department's cases before the Civil Aeronautics Board.

(g) *Information.* (1) Requests for information concerning any matters under the jurisdiction of the Second Assistant Postmaster General may be directed to local postmasters or to any of the field officials listed in this section. Requests for information which can not be obtained satisfactorily in the field may be addressed to the Second Assistant Postmaster General, Washington 25, D. C.

(2) Detailed information concerning postal matters is available to the public in the current issue of the U. S. Official Postal Guide, Part I for domestic mail and Part II for foreign mail; the Postal Laws and Regulations, as amended; the Postal Bulletin, issued twice weekly and in the annual reports of the Postmaster General. These publications may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.

(h) *Official records.* Official records of public interest pertaining to service actions or request for service actions are on file in the Bureau of the Second Assistant Postmaster General, Washington 25, D. C. and, with the exception of those held confidential, are available at that place to all persons properly and directly concerned. (R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Acting Postmaster General.

[F R. Doc. 46-22011; Filed, Dec. 31, 1946;
8:53 a. m.]

Subchapter B—Regulations

PART 19—TRANSPORTATION OF MAILS AIR CARRIERS

Whereas the regulations promulgated by the Postmaster General to govern the transportation of mail by air have been in force and effect for a long period of time and are not now being amended, and as it is necessary to the operation of the Air Postal Transport service that the effect of the said regulations be continuous, it has been found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Congress) is impracticable and contrary to the public interest. Accordingly, Part 19 of Title 39, Code of Federal Regulations, is amended, effective at once, by the addition of the following sections.

- Sec.
19.5 General regulations to air carriers.
19.6 Report of one-way trip.
19.7 Schedules.
19.8 Flight operations; early departures; notification of plane movements.
19.9 Omissions of service at scheduled stop points.
19.10 Delayed or cancelled scheduled trips; resumed flights; delayed operations.
19.11 Record of air mail pouches and weights dispatched.

- Sec.
19.12 Emergency trips and extra sections.
19.13 Times for exchange of mail at stop points, and for loading and unloading.
19.14 Direct transfer of mail between planes.
19.15 Disposition of mail in cases of cancellation, unscheduled stop, or irregular operations.
19.16 Holding orders.
19.17 Registered mail.
19.18 Protection of the mail.
19.19 Payment for mail service performed.
19.20 Reports of accidents.
19.21 Quarters.
19.22 Correspondence.
19.23 Post Office inspectors.

AUTHORITY: §§ 19.5 to 19.23, inclusive, issued under sec. 405 (d), 52 Stat. 995, as amended; 49 U. S. C. 485.

§ 19.5 *General regulations to air carriers.* (a) Carriers will transport the mail on the route specified in the certificate of public convenience and necessity issued by the Civil Aeronautics Board and on the schedules designated by the Postmaster General pursuant to section 405 (e) of the Civil Aeronautics Act.

(b) In case of cancellation, carriers will be held responsible for the prompt transfer of mail to other routes or trips or transportation of the mail to the nearest post office or train from whence it can be given the most expeditious dispatch to destination.

(c) Carriers will furnish adequate and suitable quarters at such air mail stops on the routes as may be necessary to receive, transfer, dispatch, and distribute mail; such quarters will conform to specifications approved by the Department.

(d) Carriers will truck the mail between such points as may be necessary in emergencies caused by unscheduled stops and unscheduled operation, including cancellations of trips either en route or at termin. Compensation for this service is included in the mail rate prescribed by the Civil Aeronautics Board.

(e) Carriers will keep postal officials fully informed regarding irregularities in the operation of service on their routes.

(f) Carriers will be required to maintain approved schedules except where prevented from doing so by weather and providential causes. They will make the connections between planes of other routes as required and will observe such holding orders as may be prescribed by authorized officials of the Post Office Department.

(g) Carriers will answer promptly all official correspondence from officials of the Post Office Department.

(h) Carriers will keep such records and transmit such reports as may be necessary for the Postmaster General to make prompt and proper accounting for the transportation of the mail on air routes and for other services connected therewith. They will utilize standard forms issued by the Department and will promptly transmit same on completion to the Department or to the authorized field representative.

(i) The Post Office Department will pay the rates prescribed by the Civil Aeronautics Board for the transportation of air mail. The mileage on which payment is based will be that prescribed by the Civil Aeronautics Board.

(j) Carriers will be held responsible for the proper handling and protection of mails in their custody.

(k) In case of accident involving possible damage to or loss of mails, the carrier will promptly notify designated postal officials by telephone or telegraph.

(l) Mail shall be given priority over all other forms of traffic, not only in the matter of transportation, but also in unloading and transfer to the connecting airline, the designated postal representative, or the air mail field.

(m) Carriers who transport mail will carefully observe all rules and regulations issued by the Post Office Department and will be required to take cognizance of and comply with all postal laws and regulations covering the transportation of mail and to be guided by such portions thereof as are not inconsistent with the provisions of the Civil Aeronautics Act or the interpretation made thereof and the rulings made thereunder by the Civil Aeronautics Board. They may be subject to fines and deductions for failure to do so.

§ 19.6 *Report of one-way trip.* (a) Form 2702, Record of one-way trip, is an accounting form used by the Post Office Department and the air carrier in determining mail pay due for mail transported. This form should be an accurate and complete record of the trip flown.

(b) The form, in triplicate, is required for each trip designated by the Post Office Department for the transportation of mail, whether or not mail is carried; also for irregular and emergency trips transporting mail. When a trip cancels at the initial terminal, Form 2702 will be prepared in the usual manner and endorsed to show the reason for cancellation and disposition made of the mail, and disposed of as directed by paragraph (h) of this section.

(c) The carrier will indicate on Form 2702 in correct sequence all scheduled and non-scheduled stops made; also arrival and departure time at each point. Scheduled stops omitted shall be indicated in proper sequence with explanation of failure to stop under "Remarks."

(d) Entries of pouches and parcels and total weights on and off at each station will be made by the carrier in the columns provided. When a scheduled stop is omitted and mails for the omitted stop are removed from the plane at another point, the entry of mails off for the omitted stop shall be shown separately from and immediately below the entry for the point at which such mails are removed, and the entry properly identified.

(e) On Form 2702, in the column headed "Remarks," carriers will make explanation of all failures, irregularities, and delays in handling mail. If a pouch or parcel is mishandled show origin, destination, weight, place boarded and point where put off. If there is insufficient space in the column headed "Remarks" such explanation should be made at the bottom of the form or on the reverse side.

(f) Where transfers are made by the carriers, mail and weights transferred

will be entered by both delivering and receiving carrier on their respective Form 2702's in space immediately below the station at which the transfer is made and the entries properly identified. One entry may be used for mails transferred to another route and received from another route by showing the mails transferred in the "off" columns and the mails received in the "on" columns, with appropriate statement of routes concerned in the remarks column.

(g) Forms 2713 and 2715-B should be used to correct entries on Form 2702. The weight of each pouch placed on the plane as listed on Forms 2713 and 2715-B is the weight due off. When corrections on Form 2702 are necessary, they must be legible and made by drawing a line through or circling the incorrect figures and placing the correct figures immediately above or below. Original figures must not be erased or obliterated. All corrections must be initialed by the person making the correction.

(h) Form 2702 will be balanced and completed upon termination of a trip; this may be done at the terminus or in the carrier's central office or other designated point. The Form 2702 will be retained by carriers until balanced and completed. Carriers are expected to take action to prevent undue delay in completing Form 2702. The carrier will retain the duplicate copy and deliver the original and triplicate copies as directed by the Regional Superintendent concerned.

(i) Form 2702 may be carried on the trip to which it relates or at the option of the carrier only working data (2713, 2715-B) may be carried on the trip and the Form 2702 prepared at the terminus or in the carrier's central office or other designated point. The carrier will inform the Regional Superintendent, Air Mail Service, concerned, where the Form 2702 will be prepared for the route or routes operated.

(j) When a flight is cancelled at an intermediate or off-line point and mail is to be trained, Form 2702 will be closed out as outlined herein. Entry below the station where training is to occur should show in proper "off" columns the number of pouches and outside parcels and total weight similar to entry for direct transfer between routes; also brief explanation under "Remarks" as to reason for cancellation and the disposition made of mail, etc., i. e., the train to which trained. Form 2702 will be disposed of as directed by paragraph (h) of this section.

CROSS REFERENCE: See § 55.1400 (11 F. R. 177A-153) for description of Form 2702.

§ 19.7 *Schedules.* (a) Carriers will file with the Superintendent, Division of Air Mail Service, Washington 25, D. C., three copies of proposed changes in existing schedules preferably fifteen (15) days, but in no case less than ten (10) days, prior to the effective date. The date of filing is the date of receipt in the Superintendent's office.

(b) Proposed new schedules shall be accompanied by a letter or cover sheet, briefly outlining proposed changes and shall be prepared north to south, east to

west, with the flights arranged in chronological order left to right.

(c) When additional trips are proposed, without changing the current schedule, and are designated by the Postmaster General for mail, the Department's order authorizing the use of the additional trips for mail will include the effective date.

§ 19.8 *Flight operations; early departures; notification of plane movements.* Carriers must operate schedules as nearly as practicable at time shown on approved time tables, but early departure may be made when necessary to prevent cancellation. However, as much notice as possible should be given the air mail field or post office to allow for closing out and dispatching available mail. When planes are operating thirty minutes or more late, dispatching offices on the route should be notified as to the approximate arrival to permit of a later closing and the advancement of additional mail.

§ 19.9 *Omissions of service at scheduled stop points.* (a) If a stop cannot be made on any scheduled trip, the local postal representative at the office concerned shall be notified immediately.

(b) If service is to be suspended for one week or more, immediate notice must be furnished to the Superintendent, Division of Air Mail Service, Washington 25, D. C., the Regional Superintendent and postal unit concerned.

(c) When service is to be resumed at a scheduled stop point after suspension, those listed in paragraph (b) of this section will be immediately notified.

§ 19.10 *Delayed or cancelled scheduled trips; resumed flights; delayed operations.* (a) Delayed scheduled trips on routes the mail rates of which are on a pound-mile basis may operate with available mail from initial terminals, even though available mail on hand at scheduled departure has been trained or dispatched to other routes or trips.

(b) Delayed scheduled trips on routes the mail rates of which are on a mileage basis may operate from the initial terminal; however, the delayed operation should not overlap or duplicate other scheduled trips. Carrier claims of payment for mileage of delayed trips which overlap or duplicate other scheduled trips will be disallowed by the Department unless such operation provides service which could not have been performed by other scheduled trips.

(c) When a scheduled trip has been cancelled at the initial terminal or at some intermediate point, a section may be originated at any intermediate point on the route, provided there will be no duplication of service for the same authorized pay trip which would result in additional cost to the Postal Service.

§ 19.11 *Record of air mail pouches and weights dispatched.* (a) The postal unit delivering air mail to carriers for transportation will prepare Form 2713, listing the pouches and outside parcels by origins and destinations. Weights of the pouches and pieces for each destination on the route will be shown on the Form in a proper station sequence.

(b) Pouches and parcels for off-line points will be listed so as to indicate point of transfer.

(c) On receipt of the mail from the local postal unit, the carrier will check the entries and weights as shown on the pouch label against such entries on Form 2713. If there is any difference in weights shown on 2713 and on the pouch labels, Form 2713 will be appropriately corrected without erasure. If mail not listed is received, appropriate entry will be made on Form 2713.

(d) If mail listed on Form 2713 is not received, appropriate notation will be made on the form and the dispatching office notified immediately.

CROSS REFERENCE: For description of Form 2713, see § 55.1402.

§ 19.12 *Emergency trips and extra sections.* (a) Extra sections of authorized trips initiated by the carrier may be used for the transportation of mail whenever mail is tendered by authorized postal representatives at points served by such extra sections on all routes having pound-mile rates and those having included in the rate formula prescribed by the Civil Aeronautics Board the following provisions:

The aforesaid rate per airplane mile shall be applied to the direct airport-to-airport mileage between points served for the carriage of mail on each schedule flown with the mail on the route, and the mail poundage for the route shall be computed at the end of each calendar month on the basis of the average mail load per airplane mile carried over the route during such period: *Provided, however, That if any scheduled flight is operated in two or more sections between any two points served for mail and mail is transported on more than one such section, the aggregate of the sections so used shall for all purposes of computing compensation pursuant to this order be treated as a single flight, and the rate shall be applied to the airport-to-airport mileage flown by that section which covers the greatest airport-to-airport mileage between points served for mail, and the mail poundage shall be computed as though the total weight of mail carried on all sections had been consolidated in a single aircraft.*

(b) On all other routes, extra sections will not be used for mail, unless specifically authorized by the Regional Superintendent concerned.

(c) Refer to § 19.5, paragraph (i) as to handling of Form 2702.

§ 19.13 *Times for exchange of mail at stop points, and for loading and unloading.* (a) Upon arrival of planes at stations, carrier representatives will immediately unload the mail and deliver it to the authorized postal representative at such point as may be designated. Maximum time for unloading at important points may be specified for each trip by the Regional Superintendent, Air Mail Service, in the area concerned.

(b) Mail for all outgoing trips will be delivered to the air carrier by messenger or Motor Vehicle Service from the local post office or by the Air Mail Field at the time authorized by the Regional Superintendent in the area concerned.

§ 19.14 *Direct transfer of mails between planes; use of Form 2715-B.* (a) At junctions of air mail routes or other

stop points where mail is due to be transferred between routes, or trips of the same route, it is the responsibility of the carrier to make the transfer unless otherwise instructed by the Regional Superintendent concerned.

(b) Form 2715-B will be used to record the transfer of mail between carriers and will be prepared by the incoming carrier. When mutually agreed to, Form 2715-B may be prepared by receiving carrier. The receiving carrier will receipt for the mail so turned over, in the space provided for on the form.

(c) The receiving carrier is obligated to accept and transport all mail transferred from incoming planes regularly due to connect his route. If unable to transport such mail it is the obligation of receiving carrier to make disposition according to § 19.15.

(d) The entries of the local mail and transferred mail will be shown as separate items on the trip report, Form 2702. Direct transfers of mail between trips operated by the same carrier may be made without the use of Form 2715-B, provided the mail does not leave the custody of the carrier, and appropriate transfer entries of the trips involved are entered, by carrier, on Forms 2702.

CROSS REFERENCE: See § 55.1403 for description of Form 2715-B.

§ 19.15 *Disposition of mail in case of cancellation, unscheduled stop, or irregular operations.* (a) If at initial terminal or at any stop point enroute, a trip is to be cancelled, the local postal officials concerned should be notified in sufficient time for the mail to be trained or otherwise re-routed.

(b) (1) In case of cancellation at any point served by Motor Vehicle or Mail Messenger Service, and such service is available at no additional cost to the Department, such service may be used to transport the mail to the post office or train from which it can best be expedited to destination.

(2) If Motor Vehicle or Mail Messenger Service cannot be used, under the conditions named in paragraph (b) (1) of this section, the carrier will arrange to promptly transport the mail to the post office or train from which it can best be expedited to destination.

(c) In case mail from cancelled trip, or trips, arrives by train to connect a plane for resumed flight, the carrier whose service was cancelled will be required to meet the train on arrival and transport the mail to the airport unless local instructions from authorized officials of the Air Mail Service provide for other handling.

§ 19.16 *Holding orders.* (a) Carriers will observe orders of Regional Superintendents, Air Mail Service, for holding of planes at junction points for connecting mails. Such holding orders will be forwarded to carriers as soon as practicable after schedule changes which necessitate them are received.

(b) If the carrier disagrees with the order of the Regional Superintendent, Air Mail Service, and the differences cannot be reconciled, the case should

be submitted to the Deputy Second Assistant Postmaster General in charge of Air Postal Transport, Washington 25, D. C., for decision.

§ 19.17 *Registered mail.* (a) Carriers shall receipt for all rotary lock pouches, iron lock R pouches, and outside registered articles received for dispatch by plane on forms prescribed by the Post Office Department. Carriers will not be required to check the rotary lock numbers of the pouches and registration numbers of outside pieces, it being understood that in signing the bill the carrier simply certifies to receiving a specific number of rotary lock pouches, iron lock R pouches, and outside registered pieces.

(b) When registered pouches, iron lock R pouches, and outside pieces are delivered to Air Mail Field employees, the representative of the carrier shall obtain a receipt for all registered pouches, iron lock R pouches and outsides on Form 2715-B.

(c) When registered pouches and outside pieces are delivered to a mail messenger or motor vehicle driver, the carrier will prepare Form 2753 in triplicate, listing the pouches by fixed and rotary numbers, iron lock R pouches in bulk, and outsides by registration numbers, and obtain receipt from the driver on original. The duplicate and triplicate copies will be turned over to the mail messenger or motor vehicle driver by carrier's employees.

(d) The carrier will indicate on Form 2753 in addition to the registered mail the total of ordinary pouches and outsides delivered to mail messengers, or MVS drivers.

CROSS REFERENCE: See § 55.1404 for description of Form 2715-B and § 55.1405 for description of Form 2753.

§ 19.18 *Protection of the mail.* (a) Carriers will be held strictly responsible and accountable for mails in their custody. Space provided at stations will be such as will adequately protect the mail and prevent any unauthorized persons from having access to it. Mail must not be left exposed on trucks or otherwise be subjected to depredation or weather. Air mail handlers will be identified either by a distinguishing cap, badge, or clothing.

(b) Air carriers will take every precaution to protect air mail in their custody from fire hazard both on the ground and in the air.

§ 19.19 *Payment for mail service performed.* (a) As soon as possible after the end of each month, carriers will submit sworn statements of air mail service performed.

(b) Carriers having pound-mile or ton-mile rates of pay will submit in duplicate, on Form 2720, Monthly Trip Detail Sheet, for each route and trip, a transcript of the pertinent information on Form 2702, One-Way Trip Report, and a detailed computation of pound-miles performed. This will be accompanied by a statement of service performed on Forms 2703-A and 2703-B, in triplicate. Each trip will be listed separately on Forms 2703-A and 2703-B,

showing dates, mileage, pound-miles, and amount of claim. Cases of partial or irregular operation and extra sections, should be itemized separately. A recapitulation will be made on the last sheet of the statement showing miles, pound-miles and pay claimed, and consisting of a separate item for each sheet of Form 2720. One copy of each of the above forms, together with a copy of the pay certification on Form 2706, will be returned to the carrier at the time payment is certified to the General Accounting Office.

(c) Carriers paid at other than pound-mile or ton-mile rates will submit statements of service performed, in triplicate, on Forms 2703-A and 2703-B. One copy will be returned to the carrier after audit by the Department. These forms will be completed in detail showing dates of service, trip numbers, miles flown, and such other information as is necessary for settlement of the account. A recapitulation on the last sheet of the statement will show the total miles flown, the rate and the amount of the claim for the month.

(d) In all cases, statements on Forms 2703-A and 2703-B will be subscribed and sworn to by the officer of the company authorized to sign such statements. They will be prepared in such form as may be prescribed by the Department from trip reports covering actual performance of service.

(e) The General Accounting Office has agreed that the Department may authorize advance payment in an amount not greater than 90% of the current payment authorizations. Such advance payments will be certified to the General Accounting Office promptly at the end of each month and the advance payment will be made as soon as the amounts are approved by the General Accounting Office. Balances due carriers will be certified as soon as the accounts can be adjusted and audited.

(f) Each company will file with the Department the names of the person or persons who are authorized to sign the statements on Form 2703. If there are any changes, it will be the responsibility of the carrier to promptly submit a report of such changes to the Department.

CROSS REFERENCE: See § 55.1406 for description of Form 2703-A; § 55.1407 for description of Form 2703-B; § 55.1408 for description of Form 2706; and § 55.1409 for description of Form 2720.

§ 19.20 *Reports of accidents.* (a) Carriers will report immediately by telegraph or telephone to the Deputy Second Assistant Postmaster General in charge of Air Postal Transport, Washington 25, D. C., and to the Regional Superintendent, Air Mail Service, in the area concerned, any accident resulting in damage to or loss of the mail by crash or otherwise. In addition, such other officials of the Postal Service as may be designated by the Regional Superintendent, Air Mail Service, in the area concerned, will also be notified.

(b) When accidents occur resulting in possible damage or loss of mail, mail

should be guarded and not disturbed or withdrawn from the plane until arrival of a postal official, except to prevent further damage by fire or otherwise. It is important that a post office inspector or other official of the Postal Service reach the scene of the crash as soon as possible.

§ 19.21 *Quarters.* (a) Carriers will furnish adequate and suitable quarters at such air mail stop points on the route as may be necessary to receive, transfer, dispatch, and distribute the mail.

(b) Such quarters will be furnished with heat, light, hot and cold water, janitor service, toilet facilities, and such other equipment as will provide comfortable working conditions and convenient facilities for expeditious handling and distribution of the mail.

(c) Quarters will be located so as to provide expeditious handling of mail to and from planes, and be conveniently accessible to all vehicles used in the handling of mail.

(d) Whenever necessary suitable lobby space will be provided for the transaction of air mail business by the public.

(e) Requests for changes in established air mail field quarters, plans and specifications of air carriers, and request of officials of the Postal Service for the establishment of new air mail field quarters will be made through the office of Regional Superintendent, Air Mail Service, concerned and will be subject to the approval of the Deputy Second Assistant Postmaster General in charge of Air Postal Transport, Washington 25, D. C.

§ 19.22 *Correspondence.* Air carriers will answer promptly all correspondence from officials of the Post Office Department. Correspondence concerning the Air Mail Service, except that which is initiated by and directed to the Department at Washington, D. C., and post office inspectors, should be channeled through the Regional Superintendent, Air Mail Service, having jurisdiction of the area or route involved.

§ 19.23 *Post Office inspectors.* (a) Post Office inspectors are the special representatives of the Postmaster General. Their duties are outlined in section 29 of the Postal Laws and Regulations of 1940, from which the following is quoted:

Postmasters, clerks, employees, contractors, and others connected with the postal service, are subordinate to post office inspectors when acting within the scope of their duty and employment. * * * Inspectors are empowered to open pouches and sacks and examine the mails therein and are authorized to enter and inspect post offices at all times.

(b) All employees of air carriers engaged in the transportation of mail are required to cooperate and assist inspectors in the performance of their duties.

(c) Inspectors will exhibit as evidence of their authority the Commission issued by the Postmaster General.

[SEAL] J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 46-22012; Filed, Dec. 31, 1946; 8:52 a. m.]

Subchapter C—Procedures and Forms

PART 55—FORMS OF THE POST OFFICE DEPARTMENT AIR MAIL

Part 55—Forms of the Post Office Department (11 F. R. 177A-151) is amended by the insertion of the following sections:

- Sec.
- 55.1402 Form 2713; air mail dispatch record.
 - 55.1403 Form 2715-B; weight of air mail transferred.
 - 55.1404 Form 2715-D; record of air mail pouches and weights received.
 - 55.1405 Form 2753; registry receipt to airline.
 - 55.1406 Form 2703-A; carrier's monthly statement of air mail service performed.
 - 55.1407 Form 2703-B; carrier's monthly statement of air mail service performed.
 - 55.1408 Form 2706; authorization of payment for air mail service performed.
 - 55.1409 Form 2720; monthly trip detail sheet.

AUTHORITY: §§ 55.1402 to 55.1409, inclusive, issued under R. S. 398, sec. 304, 42 Stat. 24; 5 U. S. C. 369.

§ 55.1402 *Form 2713; air mail dispatch record.* A detailed record of the air mail pouches, outside parcels and weights, by origins and destinations, dispatched by a post office or air mail field to a trip of air mail service.

§ 55.1403 *Form 2715-B; weight of air mail transferred.* A record of the pouches, outside parcels, weight and destination of the direct transfer of mail between carriers. The form is prepared by the incoming carrier and the receiving carrier receipts for the mail in the space provided on the form.

§ 55.1404 *Form 2715-D; record of air mail pouches and weights received.* A record of the air mail pouches, outside parcels and weights, by origins and destinations, received by a post office or air mail field.

§ 55.1405 *Form 2753; registry receipt to airline.* When registered mail is delivered by a carrier to a mail messenger or motor vehicle driver, the carrier prepares Form 2753, listing the registered mail in detail, and obtains a receipt from the messenger or driver in the space provided on the form.

§ 55.1406 *Form 2703-A, carrier's monthly statement of air mail service performed.* This form is prescribed by the Comptroller General of the United States and provides for detailed information as to mail matter carried by air and the amount claimed by the carrier as compensation for service performed, supported by a sworn statement of the carrier.

§ 55.1407 *Form 2703-B; carrier's monthly statement of air mail service performed.* Form 2703-B is a continuation sheet for Form 2703-A.

§ 55.1408 *Form 2706; authorization of payment for air mail service performed.* This form consists of a monthly statement of authorized service performed and the amount of compensa-

tion due the carrier for the performance of such service. It is prescribed by the Comptroller General of the United States and constitutes the certification of payments to the General Accounting Office.

§ 55.1409 *Form 2720; monthly trip detail sheet.* The form is prescribed by the Comptroller General of the United States and provides for a detailed monthly transcript and analysis of the daily information shown on Form 2702, report of one-way trip. It is used in the determination of air mail pound-miles.

CROSS REFERENCE: See § 55.1400 (11 F. R. 177A-153) for description of Form 2702.

[SEAL] J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 46-22010; Filed, Dec. 31, 1946; 8:52 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter D—Tank Vessels

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

ELECTRIC WATER LIGHTS

By virtue of the authority vested in me by R. S. 4405 and 4417a, as amended (46 U. S. C. 375, 391a) and Reorganization Plan No. 3 of 1946 (11 F. R. 7875) I find that an emergency exists and the following amendment to the Tank Vessel Regulations shall be made effective on the date of publication of this order in the FEDERAL REGISTER:

Section 37.9-1 *Automatic electric water lights—TB/ALL* is amended in the second sentence by changing the date "January 1, 1947" to "July 1, 1947." (For text of section see FEDERAL REGISTER of August 23, 1945, 10 F. R. 10365, as amended October 2, 1945, 10 F. R. 12403, December 19, 1945, 10 F. R. 15174, and July 2, 1946, 11 F. R. 7346.)

This amendment to the Tank Vessel Regulations is published without prior general notice of its proposed issuance for the reason that notice and public rule making procedure in connection therewith are hereby found to be impracticable. Because of the shortage of critical materials necessary in the manufacture of automatic electric water lights sufficient quantity of approved types of water lights is not available for compliance with the regulations. This amendment postpones the effective date of the new requirements for automatic electric water lights until July 1, 1947.

(R. S. 4405, 4417a, 46 U. S. C. 375, 391a; Reorganization Plan No. 3 of 1946 (11 F. R. 7875))

Dated: December 26, 1946.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 46-22037; Filed, Dec. 31, 1946; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE Production and Marketing Administration

[7 CFR Part 52]

STANDARDS FOR GRADES OF CANNED TANGERINE JUICE¹

NOTICE OF RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of the tentative United States Standards for Grades of Canned Tangerine Juice pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1947 (Pub. Law 422, 79th Cong., 2d Sess., approved June 22, 1946). These standards are to become effective January 15, 1947.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards and the effective date of the standards shall file the same in quadruplicate with the Hearing Clerk, Office of the Solicitor, Room 0308, South Building, United States Department of Agriculture, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 20th day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 52.667 *Canned tangerine juice*—(a) *Definition.* Canned tangerine juice is the undiluted, unfermented juice obtained from the matured fresh fruit of the tangerine tree (*Citrus reticulata*) which fruit has been properly washed; may be packed with or without the addition of sugar; and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

(b) *Grades of canned tangerine juice.*
(1) U. S. Grade A or U. S. Fancy canned tangerine juice possesses a bright typical color; is practically free from defects; possesses a fine, distinct normal canned tangerine juice flavor; and scores not less than 85 points when scored in accordance with the scoring system outlined herein. Canned tangerine juice of this grade meets the following requirements:

(i) *Brix.* Not less than 10.5 degrees Brix.

(ii) *Acid.* Not less than 0.75 gm. nor more than 1.4 gm., calculated as anhydrous citric, per 100 ml. of juice.

(iii) *Recoverable oil.* Not more than 0.015 percent by volume of recoverable oil.

(iv) *Pulp.* Not more than 7 percent free and suspended pulp.

(2) U. S. Grade C or U. S. Standard canned tangerine juice possesses a good typical color; is fairly free from defects; possesses a good, normal canned tangerine juice flavor; and scores not less than 70 points when scored in accordance

with the scoring system outlined herein. Canned tangerine juice of this grade meets the following requirements:

(i) *Brix.* Not less than 10.0 degrees Brix.

(ii) *Acid.* Not less than 0.65 gm. nor more than 1.6 gm., calculated as anhydrous citric, per 100 ml. of juice.

(iii) *Recoverable oil.* Not more than 0.020 percent by volume of recoverable oil.

(iv) *Pulp.* Not more than 10 percent free and suspended pulp.

(3) U. S. Grade D or Substandard canned tangerine juice is tangerine juice

that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(4) Canned tangerine juice of any of the foregoing grades may be considered "sweetened" if sugar has been added and the juice tests not less than 13.5 degrees Brix.

(c) *Recommended fill of container.* It is recommended that canned tangerine juice occupy not less than 90 percent of the volume capacity of the container.

(d) *Ascertaining the grade.* The grade of canned tangerine juice may be ascertained by considering, in addition to the foregoing requirements, the fol-

OIL SEPARATORY TRAP¹

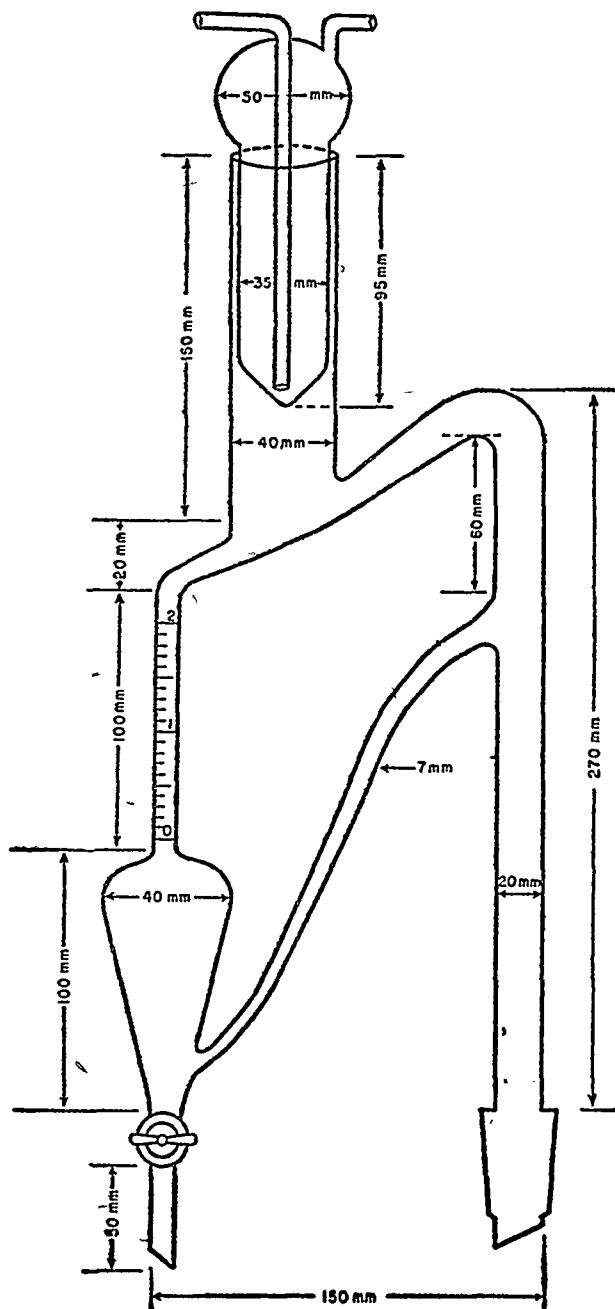


FIGURE 1

¹ The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

lowing factors: Color, absence of defects, and flavor. The relative importance of each factor has been expressed numerically on a scale of 100. The maximum number of points that may be given for each factor is:

(1) Color	20
(2) Absence of defects	40
(3) Flavor	40
Total score	100

(e) *Ascertaining the rating of each factor* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical ranges within each factor are

inclusive. For example, the range 17 to 20 means 17, 18, 19, and 20.

(1) *Color.* (i) Canned tangerine juice that possesses a bright typical color may be given a score of 17 to 20 points. "Bright typical color" means that the tangerine juice possesses a bright yellow to yellow-orange color typical of freshly extracted juice and is free from traces of browning due to scorching, oxidation, caramelization, or other causes.

(ii) If the canned tangerine juice possesses a good typical color, a score of 14 to 16 points may be given. Canned tangerine juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the

total score for the product. "Good typical color" means that the tangerine juice is a typical yellow to yellow-orange color that may be slightly amber or show evidence of slight browning.

(iii) If the canned tangerine juice is definitely dull or off-color for any reason, a score of 0 to 13 points may be given. Canned tangerine juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product.

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from particles of membrane, core, skin, seeds and seed particles, "rag," recoverable oil, residue, similar substances, or other defects.

(i) Canned tangerine juice that is practically free from defects may be given a score of 34 to 40 points. Canned tangerine juice that shows coagulation shall not be scored in this classification. "Practically free from defects" means that the juice may contain not more than 7 percent free and suspended pulp and that there may be present not more than 0.015 percent by volume of recoverable oil when determined in accordance with the methods outlined herein; and that the juice contains no noticeable seed particles, similar substances, nor other defects.

(ii) If the canned tangerine juice is fairly free from defects, a score of 23 to 33 points may be given. Canned tangerine juice that shows more than a slight coagulation shall not be scored in this classification. Canned tangerine juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. "Fairly free from defects" means that the juice may contain not more than 10 percent free and suspended pulp and that there may be present not more than 0.020 percent by volume of recoverable oil when determined in accordance with the methods outlined herein; and that seed particles, similar substances, or other defects may be noticeable but not prominent.

(iii) Canned tangerine juice that fails to meet the requirements of subparagraph (2) (ii) of this paragraph, may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product.

(3) *Flavor.* (i) Canned tangerine juice that possesses a fine, distinct, normal canned tangerine juice flavor, free from traces of scorching, caramelization, oxidation or terpene may be given a score of 34 to 40 points. To score in this classification canned tangerine juice shall meet the following additional requirements:

Canned tangerine juice tests not less than 10.5 degrees Brix.

Canned tangerine juice contains not less than 0.75 gm. nor more than 1.4 gm. of acid, calculated as anhydrous citric, per 100 ml. of juice.

(ii) If the canned tangerine juice possesses a good normal canned tangerine juice flavor, but not an objectionable flavor, a score of 28 to 33 points may be given. Canned tangerine juice

OIL SEPARATORY TRAP

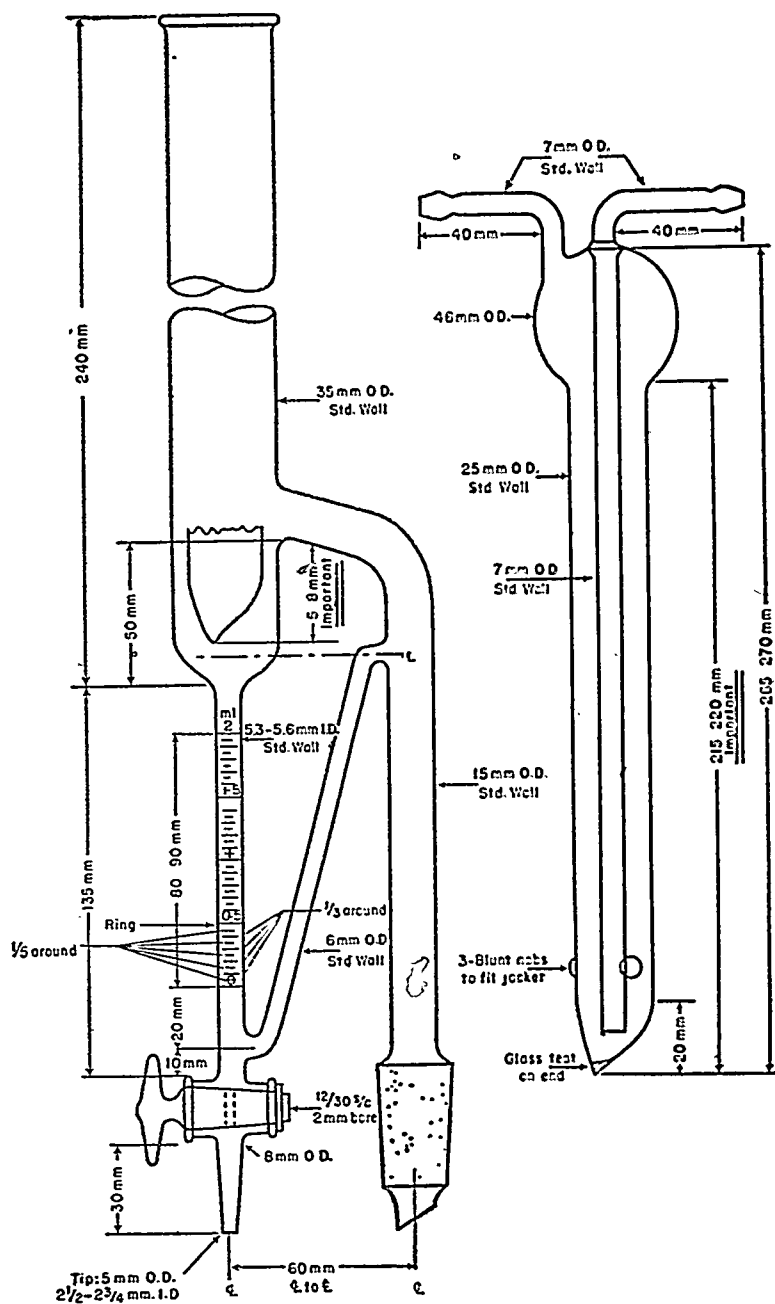


FIGURE 2

PROPOSED RULE MAKING

that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. To score in this classification canned tangerine juice shall meet the following additional requirements:

Canned tangerine juice tests not less than 10 degrees Brix.

Canned tangerine juice contains not less than 0.65 gm. nor more than 1.6 gm. of acid, calculated as anhydrous citric, per 100 ml. of juice.

(iii) If the canned tangerine juice fails to meet the requirements of subparagraph (3) (ii) of this paragraph, or if the canned tangerine juice has the flavor of green fruit, is off flavor, or is distinctly unpalatable for any reason, a score of 0 to 27 points may be given. Canned tangerine juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product.

(f) *Explanation of terms.* (1) "10.5 degrees Brix" means that the juice tests 10.5 degrees when tested with a Brix hydrometer, read at the proper temperature for the instrument used.

(2) "Normal canned tangerine juice flavor" means that the product is free from objectionable flavor or off flavor of any kind.

(3) "Free and suspended pulp" is determined by the following method:

(i) Graduated centrifuge tubes with a capacity of 50 ml. are filled with juice and placed in a suitable centrifuge. The speed is adjusted, according to diameter, as indicated in Table I and the juice is centrifuged for exactly 10 minutes. As used herein, "diameter" means the overall distance between the bottoms of opposing centrifuge tubes in operating position. After centrifuging, the milliliter reading at the top of the layer of pulp in the tube is multiplied by 2 to give the percentage of pulp.

TABLE I

Diameter	Approximate revolutions per minute	Diameter	Approximate revolutions per minute
10 inches.....	1,609	15½ inches.....	1,292
10½ inches.....	1,570	16 inches.....	1,271
11 inches.....	1,534	16½ inches.....	1,252
11½ inches.....	1,500	17 inches.....	1,234
12 inches.....	1,468	17½ inches.....	1,216
12½ inches.....	1,438	18 inches.....	1,199
13 inches.....	1,410	18½ inches.....	1,182
13½ inches.....	1,384	19 inches.....	1,167
14 inches.....	1,359	19½ inches.....	1,152
14½ inches.....	1,336	20 inches.....	1,137
15 inches.....	1,313		

(4) "Acid" in tangerine juice is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator. Acid is calculated as anhydrous citric acid.

(5) "Percent by volume of recoverable oil" in tangerine juice is determined by the following method:

(i) *Equipment.* Oil Separatory trap similar to those illustrated in figure 1 and figure 2.

Gas burner or hot plate.
Ringstand and clamps.
Rubber tubing.
3-liter narrow-neck flask.

(ii) *Procedure.* Exactly 2 liters of juice are placed in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Boiling is continued for one hour at the rate of approximately 50 drops per minute. By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

(g) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned tangerine juice the grade will be determined by averaging the score of all containers, provided not more than one-sixth of the containers fail in some respect to meet the requirements of the grade indicated by the average score.

(2) However, none of the containers may fall more than 4 points below the minimum score for the grade indicated by the average score, and if one-sixth or less of the containers fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers for the limiting factor must be within the range for the grade indicated by the average total score.

(3) This tolerance does not apply if any container falls below any applicable standard of quality promulgated under the Federal Food, Drug, and Cosmetic Act.

(h) *Score sheet for canned tangerine juice.*

Container size.....	
Container mark or identification.....	
Label.....	
Net weight (in avd. ounces) or fluid measure (fl. ounces).....	
Vacuum (in inches).....	
Density (degrees Brix).....	
Percent pulp.....	
Anhydrous citric acid (grams/100 ml.).....	
Percent recoverable oil (volume).....	

Factors	Score points
I. Color.....	20 { (A) 17-20..... (C) 14-16..... (D) 0-13.....
II. Absence of defects.....	40 { (A) 34-40..... (C) 23-33..... (D) 0-27.....
III. Flavor.....	40 { (A) 34-40..... (C) 23-33..... (D) 0-27.....
Total score.....	100

Grade.....

¹ Indicates limiting rule within classification.

Issued this 20th day of December 1946.

[SEAL] JESSE B. GILMER,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-21901; Filed, Dec. 24, 1946; 8:46 a. m.]

17 CFR Part 521

STANDARDS FOR GRADES OF CANNED SWEETPOTATOES

NOTICE OF EXTENSION OF TIME TO FILE WRITTEN DATA, VIEWS, OR ARGUMENTS

On November 28, 1946, there was published in the FEDERAL REGISTER (11 F. R. 13921) notice of proposed rule making in connection with the proposed revision of United States Standards for Grades of Canned Sweetpotatoes to become effective December 15, 1946. It is now proposed to change the effective date of the revised standards to January 15, 1947.

Notice is hereby given that the time within which written data, views, or arguments must be filed with the Hearing Clerk, Room 0308, South Building, United States Department of Agriculture, Washington 25, D. C., to be considered in connection with the proposed issuance of the revised standards effective January 15, 1947, has been extended from December 12, 1946 to not later than 5:30 p. m., e. s. t., January 2, 1947.

Dated: December 27, 1946.

[SEAL] JESSE B. GILMER,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-22043; Filed, Dec. 31, 1946; 8:50 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 7922]

META LENTZ

In re: Bank account and stock owned by and a debt owing to Meta Lentz. F-28-4211-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Meta Lentz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Meta Lentz, by City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago 90, Illinois, arising out of a savings account, Account Number 87887, entitled Meta Lentz, and any and all rights to demand, enforce and collect the same.

b. That certain debt or other obligation owing to Meta Lentz, by Illinois Timber Co., evidenced by a 6% Promissory Note made by Illinois Timber Co., payable to Meta Lentz, and presently in the custody of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago 90, Illinois, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of, the aforesaid note,

c. Sixty (60) shares of capital stock of Louisiana Consolidated Mining Co., Inc., registered in the name of Central Trust Co. of Illinois, Trustee, and presently in the custody of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago 90, Illinois, together with all declared and unpaid dividends thereon,

d. Forty (40) shares of capital stock of Central Coal Co., evidenced by a certificate numbered 124, registered in the name of Meta Lentz, and presently in the custody of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago 90, Illinois, together with all declared and unpaid dividends thereon, and

e. Twenty (20) shares of capital stock of Powell County Land Co., evidenced by a certificate numbered 21, registered in the name of Meta Lentz, and presently in the custody of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago 90, Illinois, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, Meta Lentz, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 18, 1946.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 46-22046; Filed, Dec. 31, 1946; 8:49 a. m.]

[Vesting Order 7924]

JOSEPH AND MARIE MEITINGER

In re: Bank account, stock and bonds owned by Joseph Meitinger and Marie Meitinger. F-28-26910-A-1

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Meitinger and Marie Meitinger, whose last known addresses are Sophieblatt 61, Kiel, Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligation owing to Joseph Meitinger and Marie Meitinger, by Manufacturers Bank and Trust Co. of St. Louis, 1731 South Broadway, St. Louis 4, Missouri, arising out of a savings account, Account Number 20103, entitled Joseph Meitinger or Marie Meitinger, and any and all rights to demand, enforce and collect the same,

b. Twenty (20) shares of no par value capital stock of Hugo Stinnes Corporation, 10 Light Street, Baltimore, Maryland, a corporation organized under the laws of the State of Maryland, evidenced by certificate number NY06441, registered in the name of Joseph Meitinger, and presently in the custody of St. Louis Union Trust Co., 323 North Broadway, St. Louis 2, Missouri, together with all declared and unpaid dividends thereon,

c. Four (4) 7% Hugo Stinnes Corporation Ten Year Bonds, of \$1,000.00 face value, bearing the numbers M6795, M7272, M7273, M7274, presently in the custody of St. Louis Union Trust Co., 323 North Broadway, St. Louis 2, Missouri, together with any and all rights thereunder and thereto, and

d. Two (2) 7% Hugo Stinnes Corporation Ten Year Bonds, of \$500.00 face value, bearing the numbers D682 and D683, presently in the custody of St. Louis Union Trust Co., 323 North Broadway, St. Louis 2, Missouri, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 18, 1946.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 46-22047; Filed, Dec. 31, 1946; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

GRANDE RONDE AND WALLOWA RIVERS,
OREGON

POWER SITE CLASSIFICATION NO. 381

NOVEMBER 25, 1946.

Under authority vested in me by the act of March 3, 1879 (20 Stat. 394, 43 U. S. C. 31) the following described land is hereby classified as power sites and, in so far as title thereto remains in the United States and subject to valid existing rights, it is recommended that this classification be given full force and effect under the provisions of section 24 of the act of June 10, 1920, as amended by section 211 of the act of August 26, 1935 (41 Stat. 1075, 49 Stat. 846; 16 U. S. C. 818)

POWER SITE CLASSIFICATION No. 381

GRANDE RONDE AND WALLOWA RIVERS, OREGON

Willamette Meridian

T. 2 N., R. 40 E.

Sec. 12, NE $\frac{1}{4}$.

T. 3 N., R. 40 E.,

Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 2 N., R. 41 E.,

Sec. 18, lot 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$,

Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described aggregates 385.53 acres.

Approved: December 20, 1946.

W. E. WRATHER,
Director

WARNER W. GARDNER,
Assistant Secretary.

[F. R. Doc. 46-22013; Filed, Dec. 31, 1946;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-5565]

KENTUCKY UTILITIES CO.

NOTICE OF ORDER APPROVING DISPOSITION OF
AMOUNTS CLASSIFIED AS PLANT, ADJUST-
MENTS AND PLANT ACQUISITION ADJUST-
MENTS AND TERMINATING PROCEEDINGS

DECEMBER 26, 1946.

Notice is hereby given that, on December 24, 1946, the Federal Power Commission issued its order approving disposition of amounts classified as plant adjustments and plant acquisition adjustments and terminating proceedings, entered December 23, 1946, in the above-designated matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-22015; Filed, Dec. 31, 1946;
8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1343]

COLUMBIA GAS & ELECTRIC CORP.

ORDER RELEASING JURISDICTION OVER LEGAL
FEES

At a regular session of the Securities
and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 23d day of December 1946.

The Commission by orders entered in this proceeding on August 28, 1946 and September 11, 1946 having permitted to become effective the declaration, as amended, filed by Columbia Gas & Electric Corporation, a registered holding company, pursuant to sections 6, 7, and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-50 promulgated thereunder, regarding the issuance and sale of \$77,500,000 principal amount of Debentures due 1971 and \$20,000,000 principal amount of ten-year Serial Debentures (Holding Company Act Release Nos. 6866 and 6885) and

The Commission having in said orders reserved jurisdiction with respect to the payment of all legal fees and expenses of counsel in connection with the proposed transactions; and

Shearman & Sterling & Wright, counsel for the Underwriters having submitted information regarding the nature and extent of the services rendered by it for which a fee of \$30,000 and reimbursement of expenses in the amount of \$4,368.70 are requested;

The Commission having considered the record and finding that said fee and expenses are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved in the orders of August 28, 1946 and September 11, 1946 with respect to the payment of legal fees and expenses of Shearman & Sterling & Wright be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-22021; Filed, Dec. 31, 1946;
8:53 a. m.]

[File No. 70-1424]

THE UNITED CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of December 1946.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Corporation ("United") a registered holding company. Declarant has designated section 12 (c) of the act and Rule U-46 of the rules and regulations promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than January 7, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that

he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after January 7, 1947, such declaration as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized below:

United proposes to declare and pay the quarterly dividend of 75 cents per share which will accrue on its \$3 Cumulative Preference Stock on January 1, 1947.

As of December 18, 1946, United had outstanding 1,136,199 shares of \$3 Preference Stock. However, the number of shares of such stock which may be outstanding on the record date of the proposed dividend cannot be determined at this time, since the company is proceeding with the purchase of a limited number of the shares of such stock as authorized by the Commission's Order of August 9, 1946 (Holding Company Act Release No. 6936). Based on the number of shares outstanding as of December 18, 1946, the proposed dividend would amount to \$852,149. United's entire balance in earned surplus, estimated at \$766,000 as of January 1, 1947, will be utilized for the payment of such dividends, and the remaining part of the aggregate amount of such dividend will be charged to unrestricted capital surplus which as of November 30, 1946 amounted to \$29,557,236.

The proposed transaction is described as a facilitating step in a program contemplated by United to effectuate further partial compliance with the Commission's order of August 14, 1943, directing United to change its capitalization to one class of stock, namely, common stock, and to take such action as will cause it to cease to be a holding company. As part of such program, United pursuant to authorization contained in the Commission's orders of July 17, 1946 and September 27, 1946 (Holding Company Act Release Nos. 6787 and 6921) has paid in full all dividends on its \$3 Preference Stock accumulated up to and including October 1, 1946 and contemplates the filing of plans, which are now before us for approval at this time, providing for further compliance with the Commission's order of August 14, 1946.

The company states that any plans for compliance with that order will be simplified, if all dividends on the \$3 Preference Stock are declared and paid as they accrue.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-22022; Filed, Dec. 31, 1946;
8:53 a. m.]